BOMBAY COURIER.

Published every Saturday and Tuesday Morning.

VOL. XLI. NUMBER 2084.] SATURDAY, OCTOBER 22, 1831. [PRICE Rs. 13 PER QUARTER.

THE Right Hon'ble the Governor will be happy to receive Gentlemen desirous of waiting upon his Lordship on Tuesday's Thursday's and Saturday's at Breakfast 9 o'Clock.

To commence from this day.

G. F UPTON,
P. Secretary.

BOMBAY,
22d Oct. 1831. [155]

BOMBAY AMATEUR THEATRE.

ON Thursday Evening the 27th Inst. will be performed for the benefit of Monsieur Didon a Vocal and Instrumental Concert the particulars of which will be published in future Bills, together with the Farce of

RAISING THE WIND.

Tickets and places to be had at the Theatre on Wednesday 26th, and Thursday 27th at 10 o'Clock.

Doors to be opened at 6 and the performance to begin at 7 precisely.

Dress Boxes..8 Rs. | Upper Boxes 4 Rs.
Pit..... ...6 Rs | Gallery.....2 Rs

VIVAT REX ET REGINA.

THE Committee of the Bombay Education Society having resolved to dispose of the Piece of Ground situated within the Fort, near to St. Thomas's Church, the site of the old Charity Schools, will receive Tenders for the same from Persons who may wish to purchase it.

The Tenders must specify the rate per square yard which Purchasers are willing to give. The Committee reserves to itself the right of rejecting any offer which may not be deemed satisfactory.

Tenders will be received until the 31st Instant, addressed to "the Secretary of the Bombay Education Society", at the Byculla Schools. The Ground can be seen on application to Mr. BROWN, Sexton of St. Thomas's Church, with whom a plan of it is left.

By Order of the Committee,
T. CARR,
Secretary
Bombay Education Society.
Bombay, October, 22d 1831. [140]

NOTICE.—The interest and responsibility of JOHN CALDECOTT in our Firm ceases this day. The business hitherto conducted by us, will in future be carried on under the Firm of OWEN AND CO.

OWEN CALDECOTT & CO.
[159] *Bombay, 5th October*, 1831.

NOTICE.—The Interest and responsibility of Mr. RICHARD FERANDES, has ceased from this date, in the concern of JAMES SCOTT & CO. at Bancoote by mutual consent, the business will in future, be carried on by Mr. JAMES SCOTT who will be answerable, for all debts due by the concern and receive all Money due to it.

JAMES SCOTT.
RICHARD. FERANDES.]
Bancoote, Oct, 7th 1831. [130.

A CARD; MR. JAMES SCOTT of Bancoote begs to inform those Gentlemen and families, who are about to proceed to Mahablesh war for the ensuing cold Season, that he intends fitting up a Store well supplied with every thing requisite for Mess Stores. J. S. will have an attentive Person to Superintend the management of his Stores and will endeavour to give every satisfaction in the quality of articles Supplied.

Bancoote, October, 15th 1831. [131]

A CARD; MR. JAMES SCOTT begs leave to inform the public that boats can be procured at Bancoote for the conveyance of Passengers or Baggage having fitted up two Bunder Boats for the former purpose, and the Bancoote Packet of 30 Tons for the latter. Careful men will be placed in each boat for the protection of property committed to their charge.

J. S. will forward to the Hills any Baggage addressed to his care.

Bancoote, October, 15th 1831. [132]

ADVERTISEMENT.

MESSRS FORBES AND CO. constituted Attorneys of the Executors of the last will and Testament of John May deceased, late a carpenter on board the H. C. S. Benares being about to close the accounts of the Estate, all persons indebted to, or holding property belonging thereto, are requested forthwith to pay over, or deliver the same up to the said Attorneys.—Dated, 20th October, 1830.

[128]

THE FORTYNINTH MADRAS GOVERNMENT LOTTERY IN THE THIRD CLASS.

SCHEME.

1	Prize of.....		100,000
1	Ditto of.....		35,000
1	Ditto of.....		20,000
1	Ditto of.....		10,000
1	Ditto of.....		6,000
10	Ditto of.....	1400.....	14,000
20	Ditto of.....	750.....	15,000
40	Ditto of.....	350.....	14,000
1300	Ditto of.....	110.....	143,000
1375	Prizes.....	Rupees.	3,57,000

A few Tickets in the above Lottery may be had of FROMMURZE SORABJEE, viz.

Whole Tickets at Rupees 85 each.
Half Ditto....“ “ 43 “
Quarter Ditto..“ “ 22 “
One Eight do...“ “ 11 “

The Drawing of the Lottery will take place on the 8th November.

Bombay, 22d October, 1831. [160]

FORTYNINTH MADRAS GOVERNMENT LOTTERY IN THIRD CLASS.

A Few Tickets in the above Lottery may be had at MERWANJEE NUSSERVANJEE NAWDERSHAW at the Shop of MAMHOMEDALLY TYABJEE Ship Chandler opposite to Messrs. PESTONJEE BHICCAJEE & Sons.

Whole Tickets.....Rs. 80
Half Ditto..... “ 40
Quarter Ditto..... “ 20

Bombay, 21st October, 1831. [134]

CALCUTTA 1st LOTTERY of 1832.

CAPITAL Prizes of 10,000 & 5,000 Gold Mohur's. MUNCHERJEE PESTONJEE have just received a few Tickets in the above Lottery which he offers at 150 Rs each, apply at DADABHOY PESTONJEE in Fort.

Bombay, 21st October, 1831. [139]

NOTICE is hereby given to the public that QUESTERIA DE MELLO, daughter of MATHIAS DE MELLO and FRANCISCA DE SOUZA & MELLO, Inhabitant, of Bombay at present residing in Demaun, has a right to the one half of the house of her deceased relations as an heress equally with her brother MIGUEL DE MELLO. No one can buy or take it on mortgage without her express consent.

Bombay, 22d October, 1831. [137]

ADVERTISEMENT.

THAT UBDOOL KURREEM HYDERALLY Having disposed of a House, belonging to his father, Situated at Borah Bazar Street, within the Fort Walls of Bombay, if any person or persons having any Claims or Demands by way of Mortgage, Inheritable right or otherwise he, she, or they are requested to make known by a written notice of the Honorable Supreme Court's Attorney to BOMANJEE RUSTOMJEE Cayrawalla without the Fort at or near the Dady's Agiaree, within fourteen days from the date hereof, or else he, she, or they will be precluded therefrom.---Dated 14th October, 1831.

[150]

NOTICE is hereby Given to the Creditors and others interested in the Estate of HORMUSJEE BHICAJEE MERJEE, and others trading under the name and firm of BHICAJEE MERJEE and Co. that a dividend of the principal part of the assets in the hands of the Trustees is about to be made and will be paid to those entitled to receive the same according to their respective claims at the Office of FRAMJEE CAWASJEE, the managing Trustee in Appollo Street, from and after the 15th day of November on their Executing the release prepared for their signatures in respect thereof;

And all Creditors, who have not come in under the deed of Trust, are requested to do so and to receive the said dividend without delay—Dated this 7th day of October 1831. [141]

SPLENDID CABINET FURNITURE.

R. WHITE begs to announce that the Cabinet Furniture Consigned to him (by MESSRS. CURRIE AND Co. of Calcutta) is on Board the Barque Eleanor which Vessel is hourly expected, the whole will be placed on view in Nesbit Lane in the Premises Immediately adjoining MESSRS. FRITH BOMANJEE and CO'S.

[133] *Bombay, 21st October*, 1831.

JUST PUBLISHED,

THE Quarterly Army List, corrected up to the 31st July last.

Price, Rupees Three. [144]

SALE BY AUCTION.

ON Tuesday next 25th instaut, BECK AND CO. will sell by public Outcry chiefly without limit the following collection of Goods viz. the remains of an Invoice of Jewellery consisting of Gold Seals, Watch Keys, Rings, Broaches, Lockets, Clasps, Crosses, Breast Pins &c. &c. a Case of plated Mouldings of sizes, a few instructive and amusing Books, plated Candlesticks of sizes, 50 pairs of glass bottomed Hanging Lamps, a variety of Iron Hinges, sundry cut and plain Glass ware and Piece Goods, Wines, Beer and Brandy, a variety of useful Household Furniture, at 1. P. M. a few Saddle and draught Cattle, and 4 P. M. in the house adjoining the Office of MESSRS. FORBES AND CO. a quantity of nearly new China Floor Matting and a Punkah belonging to W. MONEY Esq. highly meriting the notice of Persons about to commence Housekeeping.

[162] *Forbes Street, 22d October*, 1831.

BECK AND CO. Exclusive of various other Wines, have lately received for sale a small batch of delicious sweet Lisbon a perfect Cordial and as such deserving notice.

[163] *Forbes Street, 22d Oct.* 1831.

THIS day, Saturday the 22d Inst and the Monday following MESSRS FRITH BOMANJEE AND CO. Will Sell by public Auction in a Godown opposite WOOLER AND CO'S. for the benefit of those concerned the following Piece Goods, landed from the Ship Runnymede, Captain Wildridge, from London, being more or less damaged by Mildew, viz.

36 Cases of Long Cloth.
15 Do.. of Madapolam.
3 Do.. of Cambrics.
1 Do.. of Striped Mulls.

Terms—A Deposit of 10 per cent to be paid when the Lot is knocked Down, and the Goods to be paid for and cleared away within three days of the day of Sale or the deposit will be forfeited and, Goods resold.

[165] Nesbit Lane, 22th Oct. 1831.

SALE BY AUCTION, on Friday the 28th Instant and following day, Messrs. FRITH BOMANJEE and Co. will submit for sale by Public Auction the valuable Household Furniture and Property of the late Major Hawkins, Engineers, together with the spacious well built dwelling House situate on the N. W. side of Malabar Hill, having a commanding view of the sea, known by the name of "Wilderness," with the whole of the ground attached.

The Household property comprizes superb 4-6 and 8 Light Lustres, a valuable assortment of Plate and Plated ware, a valuable Finger or Barrel Organ by Flight and Barr, a splendid dinner service for 48 persons of stone China, richly ornamented Dessert and Breakfast services, Rich cut and plain Glass ware, Wall Shades with Pans & Drops, Rich painted Etruscan Vase Lamps, valuable and rare Oil Paintings, a variety of real China Ornaments, Books, Prints, &c. Particulars of the whole of which will appear in the Catalogue.

The Sale of the House and Grounds will take place at 4 o'clock on the first day of sale, the title deeds to the same may be inspected any time upon application to Messrs. F. B. and Co.

The property will be on view from Tuesday the 25th inst.

Nesbit, Lane, 22d Oct 1831. [166]

FRITH BOMANJEE & Co.—Have just received an Assortment of Tinted and Plain Bristol Drawing Boards, Books, &c. Also a few very Elegant Embossed drawing Boards, and some very Superior China Ink in Boxes.

Bombay, 22nd *October*, 1831. [161]

FRITH BOMANJEE AND CO.—Have just landed from the "Golconda" from China a beautiful assortment of Laquered Ware, Ivory Ware, &c. &c. &c particulars of which will hereafter be made known, as there is but a small supply they recommend early applications.

TO be disposed of a very light open Carriage, Colour Dark Green, picked out black with Brass mounted Harness very little used.—Price Rupees 2,200.

For particulars apply to Mr. MANOEL D'JESUS at MESSRS. FRITH BOMANJEE & Co.

Bombay, 20th October, 1831. [129]

CARD.

PARENTS and Guardians who may be desirous of sending their Children to England under the protection of A. M. A. are invited to make early application, as it entirely depends upon the support that may be afforded towards obtaining a sufficient number of Children to make it worth her while to leave India, and engage in so arduous and responsible an undertaking. Some time being required to arrange matters it is desirable that all applications shou'd be made before the 15th of November next.-- Further particulars may be known by a line addressed (Post paid), to Messrs. FORBES and Co., Messrs. SHOTTON and Co, and Messrs. REMINGTON and Co. Bombay.

[138] *Bombay, 19th October* 1831.

HYDER ALLY CASSEMJEE & SON,

BEG leave to inform the public in general, that they have for sale at their shop the undermentioned articles, viz.

New fashionable 8 lights Chandeliers plated mounted, Ladies and Racing Saddles Complete, Ladies Horse and Buggy Whips and several other articles.

[168] *Bombay, 20th October*, 1831.

WINES for Sale at the Godowns of DIROM CARTER and Co.

Pale Sherry in Hhds. from Wm. Harper late Harper and Bell, Rs 350 per hhd.
Pale Sherry from ditto in 3 doz. Cases, Rs. 25 per doz.
Pale Sherry from E. Steers in 3 doz. Cases, Rs. 20 per doz.
Pale Sherry from Dunbar and Son in 6 doz. Cases, Rs. 25 per doz.
Port Wine from Dunbar and Son in 6 doz. Cases, Rs. 20 per doz.
Scharsburgh Moselle in 3 doz. Cases, Rs. 25 per doz.
Madeira Wine, London Particular from R. Symonds and Co. Rs, 400 per Pipe.
Do. do. do. Rs. 200 per hhd.
Best Hennessy's Cogniac Brandy in 3 doz. Cases, Rs. 12 per doz.
French Cogniac Brandy very choice 1795 in 1 doz, Rs. 12 per doz

Terms Cash.

[143] *Bombay, 22d October*, 1831.

TO BE LET,—The Upper Roomed House, in the Fort, with or without the premises which were lately occupied as the General Paymaster's Office; for further particulars, apply to DADABHOY PESTONJEE, in the Fort near the Theatre.

[145] *Bombay, 22d Oct.* 1831.

FOR SALE, at the Godowns of Messrs REMINGTON AND CO. A fresh batch of PHELAN'S Superior highly flavoured CLARET, at Rs. 25 per dozen, in cases of three dozen each.

[147] *Bombay, 22d Oct.* 1831.

FOR SALE at the Godowns of Messrs. REMINGTON and Co. very Superior *Sauterne* Wine in one Dozen Cases at Rs. 14 per Dozen.

[148] *Bombay, 22d October*, 1831.

ON SALE AT THE GODOWNS OF MESSR REMINGTON AND CO.

THE following Wines of Superior quality from Messrs. TODD, and BOSANQUET.

Claret 2d Growth.....Rs. 30 per doz.
Pale Sherry..... 26 per do.
Bucellas..... 20 per do.

R. & Co. will register orders for the above Wines to be supplied, whenever the stock may be expended from the first shipments they may receive, and will forward to TODD and BOSANQUET orders for annual supplies of the above and other Wines for individuals and Regimental Messes. The shipping prices of all T. and B's. Wines may be known on application to R. and Co. who will receive payment on the arrival of the orders in Bombay.

[149]

TO be let the upper roomed House in Mazagon which was formerly occupied by Mr. EAST; for further particulars apply to DADABHOY PESTONJEE.

SPORTING MAGAZINE.

NO XIV. Of the Oriental Sporting Magazine will be published during the 1st week in November, and it is requested that all communications intended for that number be forwarded on or before the 25th instant. [142]

FOR SALE, A few Copies of the English Sporting Magazine, from Nov. 1830 to June 1831. For particulars apply to SHREECRUSTNA JAGONNATHJEE, at the Courier office. [158]

ADVERTISEMENT.

NOTICE is hereby given That BHAWOO CASSINATJEE having purchased from FUCKEER MAHOMED BIN MAHOMED BAH MUCKHTAWAY all that piece or parcel of Land or Ground with the Messuage Tenement or Dwelling house thereto, built and standing situate without the Fort walls of Bombay at Duncan road and bounded as follows, that is to say on or towards the east by the public road, on or towards the west by vacant ground belonging to the Caste of Cojah, on or towards the north by the house of Gungah Cusban, and on or towards the south by the house of Bappoo-Gungaram Barber. If any person or persons having any claim or demand thereon by way of mortgage or otherwise inheritance therein he she or they, are hereby required to make known the same to RAMJEE MOYINJEE within fourteen days from the date hereof or else they will be precluded therein.--Dated, this 21st day of October 1831. [136]

اشتہار

خبر واوہی شود کہ بھاؤ کا سینات
جی ملک خانہ مع زمین از فقیر محمد بن
محمد باسکتا سے فروختہ کرفت و خانہ
مذکور بیرون قلعہ ور و نکن رو و واقع
است و بطرف مشرق خانہ ان
شارع عام و بطرف مغرب ان
زمین خالی ماں خوجہ و بطرف شمال
ان خانہ گنگا کنچنی و بطرف جنوب ان
خانہ باپو کنکا رام سرتراش واقع
است و بران خانہ کسیکہ واعوائی
رھن یا ورثہ واشتہ باشند بہ آن ہا
معلوم باد کہ از امروز تا ورمدت
چھاروہ روز فیزو رام جی مان یان جی
رفتہ ظاہر سازو و بعد از مدت
وعوئی کسی قبول نخواہد شد

۲۱ اکتوبر ۱۸۳۱

JUST PUBLISHED,

THE INDIAN CALENDAR for the year 1832 shewing the correlative dates according to the various modes of reckoning time among the HINDOOS, PARSEES, MUSSULMEN and MALABARIANS. Price Rupees Two.

Courier Office, 23d October, 1831. [156]

FOR SALE.—At the Courier Office,

The Bombay Calendar for 1831,	5	0	0
Indian ditto,.....	2	2	0
Blank Powers of Attorney,.....	0	2	0
Ditto Interest Bonds,.....	0	2	0
Do. Policies,.....	1	0	0
Do. Bills of Lading, per set,.....	0	2	0
Do. Respondentia Bonds,.....	0	2	0
Do. Bills of Exchange, per set,....	0	2	0
Plans of the Island,.....	1	0	0
Traveller's Itinerary,.....	5	0	0
Insolvent Debtors' Act,.....	3	0	0

LETTER-PRESS PRINTING, neatly executed on moderate terms. [157]

Passage to Liverpool.

THE Fine fast sailing Ship ROYAL GEORGE, of 500 Tons, William Wilson, Commander, will positively sail about 10th November.

Has superior accommodations for Passengers and carries a Surgeon, plans of the Cabins may be seen at the Office of RITCHIE STEUART AND CO.

Rampart Row, 22d Oct. 1831. [151]

For Passage to London and the Cape of Good Hope.

The fast sailing well armed Ship LORD AMHERST 600 tons Burthen, JOHN HICKS, R. N. Commander, will sail on the 25th of November; carries a Surgeon, and is expressly fitted up for Passengers; Plans of her Cabins may be had and further particulars known, by applying to Captain HICKS at the Office of Messrs. DIROM CARTER and Co.

[151] *Bombay, 22d October*, 1831.

For Freight and Passage to London.

THE Ship LADY RAFFLES, WILLIAM TUCKER Commander, of 650 tons, was to leave Portsmouth on 5th July, may be expected here early next month and will positively sail on the 15th December. *The Raffles* has excellent accommodations, having double stern galleries, the same as an Indiaman—and carries a Surgeon.—Apply to ADAM, SKINNER and Do.

[152] *Bombay, October, 22d*. 1831.

For Freight or Passage to London.

The fine Ship "LONACH," of 400 Tons, register W. H. DRISCOLL, Commander, has good accommodations for passengers, carries an experienced Surgeon, and will sail for the above port on the 10th Proximo, calling off the Malabar Coast for passengers.—Apply to Captain Driscoll, at the office of Messrs. FORBES and Co. where plans of the Cabins may be had.

[153] *Bombay, 22d October*, 1831.

For Passage to London.

The fine Ship VESPER Burthen 310 Tons DAVID BROWN, Commander, having a full Cargo engaged, will positively sail on the 30th Instant; apply to the Commander on board, or at the office of Messrs. REMINGTON and Co. where plans of her accommodations may be seen.

[154] *Bombay, 22d October*, 1831.

For Passage to London.

The Teak built and Copper Fastened Ship GOLCONDA Burthen 858 Tons DANIEL STEWART Commander, having a full Cargo engaged will sail early in December next, has superior Accommodations for Passengers and Carries an experienced Surgeon, Plans of the Cabin's may be seen at the Office of FRAMJEE COWASJEE.

Bombay, 19th October, 1831. [127]

For Freight and Passage to London.

THE Teak built Ship UPTON CASTLE of 600 Tons J. E. DUGGAN, Commander may be expected to arrive here early in the month of January next, and will be dispatched early in February next, has superior accommodations for Passengers and Carries an experienced Surgeon; for Particulars apply to FRAMJEE CAWOSJEE at his Office.

[135] *Bombay, 20th October*, 1831.

GENERAL ORDERS.

By the Right Hon'ble the Governor in Council.

Bombay Castle, 11th October, 1831.

No. 383 of 1831.—Ensign F. P. Lynch of the 16th Regiment Native Infantry, is allowed a furlough to Europe for the benefit of his health.

Bombay Castle, 12th October, 1831.

No. 384 of 1831.—The Rank of the undermentioned Assistant Surgeons appointed by the Hon'ble the Court of Directors having been received the Right Hon'ble the Governor in Council is pleased to direct that Commissions be assigned to them from the dates of their departure from Europe, as follows:—

Medical Establishment.

	Date of Rank.
1 Rupert Kirk..... —	24th November 1830.
2 William Bromley Cadogan Graham M. D.....	do. do. do.
3 Thomas Waller,.....	3d April ... 1831.
4 Thomas James Knox....	1st May.....1831.

No. 385 of 1831.—Lieutenant T. Probyn of the 17th Regiment Native Infantry, is allowed a furlough to Europe for three years, on urgent private affairs.

Bombay Castle, 13th October, 1831.

No. 386 of 1831.—The Right Honorable the Governor in Council is pleased to authorize the entertainment of Extra Followers for the Foot Artillery, on all occasions of any excess to its fixed Establishment, in the proportion of one of each description for every thirty Men.

The Right Hon'ble the Governor in Council is also pleased to direct that the number of Followers attached to the Horse Artillery, as laid down in Section XXVIII. Article 20 of the Military Code, be reduced to 4 Washermen and 4 Watermen per Troop, and the number of Puckaulies with Bullocks, when in the field, from six to four.

Bombay Castle, 18th October, 1831.

No. 387 of 1831.—The Right Hon'ble the Governor in Council was pleased under this day's date by a resolution in the Political Department, to appoint Assistant Surgeon J. Ross to be Surgeon to the Agency at Bussora, in succession to Assistant Surgeon Baigrie deceased.

Bombay Castle, 18th October, 1831.

No. 388 of 1831.—The Right the Honorable the Governor in Council is pleased to establish the following rules relative to the erection, alteration and repair of public buildings in Military Cantonments:—

1st. The Sites of all buildings whatever in a Military Cantonment will be decided on by His Excellency the Commander in Chief or under his orders and with his Sanction by the Officer Commanding the Division, and no building for the occupation of the Troops is to be erected or ordered without a plan and a general Estimate of the expence having been in the first instance laid before His Excellency.

2d. Divisional Commanding Officers acting under such authority as may be conveyed to them by the Commander in Chief are entitled, at any time, to call upon the Inspecting Engineer, or in his absence, the Executive Officer to furnish them with an *Abstract or General Estimate* of the Expence of any alteration or repair, and with the Plan of any Military Building, as this information is essential to a decision, whether such alteration, repair or new Building shall be recommended by the Divisional Commanding Officer to the Commander in Chief or by the latter to Government.

3rd. Engineer Officers are *not* to be required to furnish *professional or detailed Estimates* to Divisional Commanding Officers.—The latter will, when *it is resolved that a work is to be recommended to Government*, instruct the inspecting Engineer or in his absence the Executive Officer, to have such professional Estimates prepared and transmitted to the *Chief Engineer* according to the Regulations, and Inspecting and Executive Engineers will not transmit such Estimates to the Chief Engineer without an order from him for some Official purpose, or the *direction of the Divisional Commanding Officer*, who will of course *not issue such without the sanction of the Commander in Chief* for so doing.

4th. The Rules contained in the last preceding clause do not apply to Estimates for ordinary and special annual repairs which will continue to be transmitted agreeably to the General Orders of the 18th August 1829.

5th. Divisional Commanding Officers are entitled to call for information from the Inspecting Engineer, or in his absence the Executive Officer, as to the period at which any structure, alteration or repair in progress under the direction of the Engineer Department is expected to be finished, *whenever this knowledge is requisite to enable them to offer suggestions in a satisfactory shape to Head Quarters* FOR A TIMELY PROVISION FOR THE ACCOMMODATION OF THE TROOPS; but they are not to require periodical progress reports from Engineer Officers, as documents of this description belonging entirely to the Engineer profession and Corps, and as such should be furnished only to the proper controlling authorities in the Engineer Department.

6th. *No Orders for the execution of any alteration or the erection of any building or structure* are to be issued to any *Engineer Officer* except through the *Chief Engineer's* authority, unless the case be one of *emergency which cannot without public inconvenience, admit of delay* when the Divisional Commanding Officer may *order the Engineer Department to perform the work*, but in this case he will *immediately report having done so* through the usual channel to Government, in order that the requisite communication may be made to the *Chief Engineer*.

7th. In cases coming under the General Order of the 26th June 1830, where the Commanding Officer of a Division or Station may sanction a work, it is not to be understood that, if an Engineer Officer is the person prescribed by the Regulations to execute the work, or is to be employed on it, the Divisional or Station Commanding Officer is to order him to *perform* it; he is to report through the regular channel to Government, in order that the requisite directions may be transmitted through the *Chief Engineer:* should the case be one of emergency, it will of course be proceeded in as such.

By Order of the Right Hon'ble the Governor in Council
C. NORRIS,
Chief Secretary.

GENERAL DEPARTMENT.

Bombay Castle, 17th October, 1831.

The Right Honorable the Governor in Council, is pleased to notify the following Promotions in the Civil Service.

TO BE SENIOR MERCHANTS.

Harry Borrodaile,—Date of Rank 29th May 1830.
William R. Morris, Do. Do.
William Simson, Do. Do.
Benjamin Hutt, Do. Do.
David A. Blane, Do. 7th June, 1831.
Sir Robert Keith Arbuthnot, Do Do.
Joseph H. Jackson, Do. Do.
Alexander Bell, Do. Do.
Alexander Elphinston, Do. Do.
John Warden, Do. Do.
John H. Ravenshaw, Do. Do.
James H. Farquharson, Do. Do.
William Willis, Do. Do.
Nathaniel Hornby, Do. Do.

TO BE JUNIOR MERCHANTS.

Henry Young, Do. 15th August, 1830.
Edward H. Townsend, Do. Do.
William C. Andrews, Do. Do.
John W. Langford, Do. Do.
Frederick J. H. Reeves, Do. Do.
Nugent Kirkland W. Malet, Do. Do.
William W. Matel. Do. Do.
James Seton, Do. Do.
The Hon'ble Musgrave A. H. Harris, Do. Do.
William Clerk, Do. Do.
Alexander N. Shaw, Do. Do.
Charles Sims, Do. Do.
Walter J. Hunter, Do. Do.
Henry G. Barret, Do. Do.
Robert C. Money, Do. Do.
Richard G. Chambers, Do. Do.
Henry Bebb Morris, Do. Do.
Charles Prescott, Do. Do.
William Richardson, Do. Do.
John Steven, Do. 6th July, 1831.
James Erskine, Do. Do.
Lancelot Wilkinson, Do. Do.
George H. Pitt, Do. Do.
Thomas H. Talbot, Do. Do.
Frederick A. Corsar, Do. Do.

TO BE FACTORS.

Edward G. Fawcett, Do. 6th June, 1830.
William G. Clarke, Do. Do.
Henry W. Reeves, Do. Do.
Arthur Malet, Robert D. Luard, Do. Do.
Robert D. Luard, Do. Do.
Arthur Hornby, Do. Do.

By Order of the Right Hon'ble the Governor in Council.
JOHN BAX,
Secy to Govt.

CORRESPONDENCE.

To the Editor of the Bombay Courier.

SIR,

If the Editor of the Gazette chooses, like honest *Dogberry*, to insist on being written down an ass I really cannot help it. But was there ever seen such a miserable attempt at a defence of unfounded and illiberal editorial remarks as appeared in the last Gazette? Why, also, he now wishes to restrict the discussion of Captain Betham's case to Captain Betham's own memorial I do not understand, for his former comments and my observations in answer applied to the whole account of it contained in the East India Magazine. Though, therefore, Captain Betham may not have stated in his memorial that he was entitled to be tried by a Court Martial, the writer in the Magazine has expressly asserted so in these words—"which (the proceedings) indeed, were illegal from beginning to end, for Captain was, by Act of Parliament, entitled to a Court Martial."

What fatuity, in particular, can have led this unfortunate Editor to publish an article of the former Penal Code established by Government for the better Government of the Officers of the Bombay Marine seems inexplicable. Because by this article it is positively ordered that Courts of Enquiry "shall consist of five or more of the SENIOR Officers present" at Bombay; and, consequently, it was impossible for the Superintendent to have composed the Court of Enquiry held for the trial of Captain Betham in any other manner than it was. Captain Betham, indeed, might have made an official application to have his Court composed partly of military Officers; but, as he never did make such an application, it is surely now much too late for him to complain that the Superintendent was then of opinion that the Senior officers of the Marine were perfectly competent to perform the duties of Members of a Court of Enquiry. Nor is it possible to comprehend what Captain Betham means by stating it as a grievance that the Members of his Court "were not employed in the regular line of the service at the commencement of the Trial." For Courts of Enquiry were invariably composed of such senior officers as held appointments on shore, or of such as were from any cause not employed afloat. *

Charity would induce me to suppose that the Editor, in adopting the calumnious and libellous account of this case contained in the East India Magazine, was not actuated by any undue motives; were it not that I am obliged to conclude that an Editor, in this country at least, reads the Articles which he inserts in his Journal. In which case the Editor of the Gazette will perhaps explain the grounds on which he publicly attached credit to such assertions as these—"at last, however, by a *picked* Court of Enquiry, composed chiefly of Captain Betham's inferiors in rank, who must rise by his downfall, and who were all actually promoted during the progress of the trial, *Sir Charles succeeded in getting a verdict against him.* The account, given by Captain Betham of his judges, presents the most extraordinary example of a packed Court which we ever heard or read of." That the Editor should be at all acquainted with the feelings and principles by which the conduct of Officers and Gentlemen is regulated cannot be expected; but common sense and common prudence might have prevented him from publishing his belief that several Officers and Gentlemen of unimpeached character gave false testimony before the Court of Enquiry held for the trial of Captain Betham, and that others of equal integrity gave a false verdict under the influence of corrupt motives.

The Editor, also, could not have known that Courts of Enquiry were held by order of the Government, and that their verdicts and judgements were submitted to Government, for its approval or disapproval. In calling in question, therefore, the propriety of Captain Betham's dismissal from the service, he actually calls in question the propriety of an act of Government. Will the Editor, therefore, venture to assert that, had the verdict of the Court been contrary to evidence, the Government would have approved of it? But, if the verdict was fully supported by the evidence,

* In support, however, of his opinion that this Court was *picked* and *packed* the Editor republishes the same assertions of Captain Betham with respect to its composition which appeared in a former Gazette; and then adds "GNARUS says *the Court of Enquiry was not packed*, but he does not even insinuate that Captain Betham has stated what was not true." This is a strange mode of writing! For I have declared the accusation *in toto* to be unfounded, and consequently negatived at the same time each particular allegation of which it consisted. But, as the Editor seems to be somewhat deficient in understanding, a few plain words will perhaps suffice to make him regret the credulity with which he has given credit to the most evident misrepresentation and falsehood.

The Marine Board gave its opinion on the conduct of Captain Betham in leaving behind two of the three months supply of biscuit which he was ordered to take on board the Coote on the 2d September 1828; and on that date Captain Morgan was at Surat, being Commodore at that Port, and consequently gave no opinion on the subject.

Captain Harris, then Assistant to the Superintendent, was appointed Agent for the purchase of Timber in Malabar and Canara on the 2d October 1828, and Captain Cogan was appointed to succeed him on the same date. But Captain Harris being detained at Bombay as a witness on the approaching trial of Captain Betham continued to act as Assistant to the Superintendent.

The trial of Captain Betham commenced on the 18th and closed on the 26th December 1828, though the decision of Government was not made public until the 4th of February 1829.

Captain Maughan became in course of Seniority only Captain of Mazagon Dock Yard, and on obtaining an appointment on shore gave up his intention of returning to Europe. It is, also, totally false that Captain Maughan ever wrote any letter to the Superintendent relating in any manner to Captain Betham.

It was not until the 22d of January 1829, when the opinion of Government with respect to the Finding and Sentence of the Court of Enquiry was no doubt known to the Superintendent, that Captain Guy was appointed Senior Officer in the Persian Gulph.

Lieutenant Wilson is two years Senior to Lieutenant W. Lowe, and having just returned from Europe he was appointed Commander of the Coote, as that Vessel was required for immediate service.

From these dates it will be evident that the assertions of Captain Betham with respect to the Members of the Court of Enquiry by which he was tried and the two principal witnesses examined before it are altogether unfounded. But it may amuse your readers to contrast the aspersions which he has since cast on this Court with the manner in which he addressed it on his Defence. For on that occasion Captain Betham thus spoke—"But, Mr. President and Gentlemen, this I do know, that within the walls of this Court neither open malice nor covert circumvention can have any effect; and it is indeed a consolation to my wounded feelings to reflect, that whatever hardships I have endured, whatever anxiety I may have suffered, I at length find myself confronted with my accusers before competent and honorable judges, in whom (although I objected upon technical grounds to some of them sitting on my trial) I have too implicit confidence to doubt that they will by their vote do justice to themselves, to me, and to the service."

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can any farther proof be required that the Members of this Court did perform their duty justly and conscientiously?

Of the nature of evidence, however, the Editor appears to have not the slightest conception; for he produces as *proof* the bare assertion of the party accused, and an affidavit made extrajudicially by a person most deeply interested in maintaining the truth of the opinion which he had given as a Member of the Committee of Survey held on board the Coote. That Captain Betham did insinuate that the biscuit had been changed I am aware, but I have reason to believe that he did not make this assertion in express words. Captain Betham, however, did not on his defence even attempt to support this insinuation or assertion by any evidence whatever, and consequently, it neither deserved nor received any attention from the Court. But in bringing it so prominently forward in his last editorial remarks the Editor seems to be floundering out of one difficulty into another of more serious consequence; for, if he has published this assertion of Captain Betham, believing it to be true or wishing it to be believed, he actually accuses the Superintendent of the Indian Navy and his Assistant (if not other persons) of having entered into a conspiracy to ruin Captain Betham by the most nefarious means. Because as long as the bag of biscuit forwarded from Muscat as a sample remained in the hands of the natives who brought it, it is quite clear that they had neither motive nor means for changing it; and that, consequently, if changed, the substitution of good for the bad biscuit must have taken place after the bag had been delivered at the Marine Office. But such a monstrous suspicion never entered into the mind of any Member of the Court, and as no evidence was even offered in support of a supposition, for the proof of which nothing but the most unquestionable evidence could have been held sufficient; the Court, on the identity of the bag being admitted by Captain Betham, most justly decided, as no proof to the contrary had been adduced, that the biscuit also was the same identical biscuit, that had been forwarded from Muscat.

But, from the Editor's coupling with this assertion of Captain Betham the evidence given by Captain Cogan, it would seem that he thinks that this evidence proves that the biscuit was changed. In what manner, however, he has contrived to form such a conclusion he does not explain, and *Œdipus* himself would be puzzled to discover how any thing deposed to by Captain Cogan can in the least tend to prove the alleged change. Here I am obliged to accuse the Editor, if not of actual willful misrepresentation, at least of the wish to mislead his readers by a suppression of truth. For it is evident that in writing his remarks he had before him the proceedings of both Captain Betham's and Mr. Morley's trial. If, therefore, he intended that his readers should conclude, from the bag not having been fastened in the presence of the Committee after the survey was over and from the small hole that was in it, that the biscuit had been changed or that full facility was afforded for doing so, he was virtually and knowingly deceiving them. Because on Captain Betham's trial Captain Harris then Assistant to the Superintendent deposed as follows.

Q. After the Survey was over what became of the bag?.

A. I took the bag into my possession, sewed it up, sealed it, and it has been in my possession under lock and key ever since.

Q. Can you produce the bag?

A. The bag which I lay before the Court is the one, and it is in the same state as when I last put it up.

This bag was, I am assured, carefully examined by the Court, and the Members were satisfied on this inspection that, from the flour being placed over the biscuit, and from the manner in which the bag was sewed up, it was quite impossible that the small hole in the bag could have admitted of the bad biscuit being taken out and good substituted in its place. On Mr. Morley's trial, also, every attempt was made on the defence to prove that this hole did not exist in the bag when it was forwarded from the Coote from Muscat, but the attempt completely failed.

It is certainly true that at a General Court Martial held for the trial of Captain Betham's Purser for having given false testimony on Captain Betham's trial, the Court acquitted him of having sworn falsely in deposing that the biscuit served out to the Coote in August 1828 was bad. But the following remarks made on this acquittal by the then Commander in Chief Lieut. General Sir Thomas Bradford render any observations on my part unnecessary.

"The Commander in Chief is obliged to express his marked disapprobation of the Court's acquittal of Mr. Morley on part of the 2d Instance of the charge. Because it appears to him to be directly contrary to the evidence recorded on the proceedings of the trial."

"In coming to such a decision, the Court has too obviously taken an erroneous view of the evidence, and has allowed itself to be influenced by suppositions and inferences unsupported by proof. But it is the bounden duty of a Court Martial to try and determine according to the evidence before it, and it is hence impossible to understand why the Court has considered that, in this instance, the evidence adduced by the prisoner was more deserving of credit, than that adduced by the Prosecutor. For the latter is clear, consistent, and probable, while the former is perplexed, contradictory, and incongruous, and leads to conclusions very improbable and devoid of truth."

"His Excellency, at the same time, is particularly surprised that, without any grounds to warrant such a conclusion, this Court has given a different opinion with respect to the state of the biscuit mentioned in the charge to that expressed by the Marine Court Martial in December last. Because, though it is not absolutely requisite that one Court should adhere to the decision of a former one, still it is indispensably necessary for the due administration of justice, that such decision should not be disturbed, unless its incorrectness is evinced by *new* and *conclusive* evidence."

"In this case, however, no such evidence appears, and it has, therefore, become incumbent on the Commander-in-Chief to point out in terms of reprehension the incorrectness of an acquittal so contrary to every principle of evidence."

But it is somewhat strange that the Members of this Court Martial, who concurred in this acquittal, did not perceive that by it they virtually declared Captain Betham and his Purser to have been guilty of signing false Returns. Because the Provision Returns for August and September 1828 signed by them showed that this biscuit had been served out to the Crew of the Coote during twenty days, and, consequently, this entry was either false, or if true, it is quite improbable that the biscuit was in the state described by the Committee. Thus in wishing to exculpate the Purser, and indirectly Captain Betham, from one accusation those Members exposed the former to another of an equally serious nature.

Some of the preceding remarks may perhaps startle the Editor of the Gazette, when he finds the nature of the calumnies which he has countenanced and supported thus exposed in plain English; and perhaps he may have some friend who can convince him that what he considers to be proof is no proof at all, and that, consequently, there are no grounds whatever for supposing that Captain Betham's trial was conducted in any but a fair and impartial manner or that his conviction was not in perfect conformity with the evidence. What, indeed, can be the Editor's object in offering to the public so lame a defence of his conduct in giving his assistance to obtain credit for so libellous a production I am at a loss to conceive. But, if he had considered for a moment, he must have perceived that my last letter was written by a person who was fully acquainted with the circumstances of the case, and that a prolongation of the discussion on his part would necessarily oblige me to point out in a more detailed manner the misrepresentations and falsehoods contained in Captain Betham's Memorial and in the East India Magazine. If, therefore, his Editorial remarks are intended as a defence of Captain Betham, they are in the highest degree injudicious; and, if they are meant to inculpate the conduct of Sir Charles Malcolm as regards this case, the Editor may now learn, perhaps with some dismay, that Sir Charles Malcolm had nothing farther to do with the business than to prefer Charges prepared (under his direction indeed) by the Judge Advocate, and, on Government deciding that Captain Betham should be brought to trial, to order the assembly of a Court of Enquiry composed in the manner prescribed by Government. No Member of that Court, however, I am confident would have allowed his opinion to be in any degree influenced by any consideration whatever; nor, had any such bias existed, did any occasion occur when it might possibly have operated. For, the non-adducing of any exculpatory evidence except such as was of a most questionable nature, prevented the Court from being embarrassed by the weighing of contradictory testimony, and, consequently, from having an opportunity of deciding otherwise than it did. This decision, also, was submitted for approval, not to Sir Charles Malcolm, but to the Government, and it concurred in the justness of the Finding and Sentence of the Court. The Editor will hence perceive that it would have been more prudent for him either to have remained silent, or to have made himself acquainted with various important circumstances, of which he is at present completely ignorant. But wilful ignorance is no excuse for assisting in the propagation of slander and calumny, though Editors of Newspapers seem to think that they incur no responsibility by publishing the grossest misrepresentations and most barefaced lies without ever enquiring or considering whether the circumstances alleged are true or false. If, however, radical reform would put a stop to this abuse of the press it would be "a consummation devoutly to be wished."

I remain
Sir,
Your most obedient Servant,
GNARUS.

Bombay, 20th October, 1831.

As this and my former letter were written before I had read Captain Betham's memorial I shall perhaps find it necessary to trouble you with some farther remarks on the subject. At present I merely advert to this assertion of the veracious Editor of the Gazette "Captain Betham does not say that he ought to have been tried by a Court Martial." But, as it were designedly to prove that the Editor knows nothing about the subject respecting which he has given a public opinion, these words occur in the 49th paragraph of the Memorial—"and His Majesty in Council having extended the provisions of the Mutiny Act to the Bombay Marine, *long previous to the Commission of the alleged crimes, your Memorialist unquestionably became entitled to the benefit of a Court Martial.*

To the Editor of the Bombay Courier.

MR. EDITOR,

Being one of the unfortunate Creditors of the late firm of Higgs and Briggs, I would feel indebted to you, if you could give me any information when a dividend may be expected from their assets, for I have been living in hope of the same for the last twelvemonths, but am now beginning to despair. A friend of mine the other day told me, that the cause of the delay of the dividend being made originated in a reference to the Examiner, to ascertain if the surviving insolvent had complied with the terms of the act, regarding which it could not take a couple of hours to satisfy himself, but what in the name of wonder Mr. Editor, can that now avail, will it add to the dividend or in any way benefit the creditors! However all this comes of leaving the Estate in the hands of the provisional Assignee, and if some of the creditors had stept forward, and taken the management, the settlement would have been much further advanced than it is, as men of business are not so fastidious, or slaves to form, in their adjustment of transactions as Gentlemen learned in the law, to say nothing of the general inaptitude and inefficiency of the latter in common matters of account. If the management of the Estate in question be taken as a specimen of the operation of the Insolvent Debtors Court, the benefits derivable from its introduction among us are more than doubtful, and it might be perhaps as well to let the insolvents squander the property of their Creditors, as to have that property placed where the latter seem likely to be equally deprived of it by dilatory and vexatious proceedings.

I am,
Mr. Editor,
Your obedient Servant,
A. B.

BOMBAY,
21*st October*, 1831.

To the Editor of the Bombay Courier.

MR. EDITOR,

As Reform seems the order of the day I am anxious to contribute my mite, and if you think the accompanying lucubrations worthy of a column in your valuable paper, there will I am sure be many people who will, in their hearts at least, coincide with my views.

Your's very obediently.
A REFORMER.

Which saves much hartshorn, salts, and sprinkling faces
And Cutting stays as usual in such cases.---BYRON

In my late travels through Kattywar my tent was pitched one morning on the banks of a beautiful river near the gate of a small village in which a child had died on the preceding evening, and the body was brought out to be burned at a short distance from where I was sitting enjoying the fumes of my cheroot after a long and fatiguing march, It was followed by a train of wailing matrons hired I suppose for the occasion who issued from the village in a long Procession with their sarees over their faces, while the most experienced acted as leader of the band, giving out each burst of lamentation with great feeling. I had a fair opportunity of witnessing their proceedings and was much pleased with the simple and unaffected ceremonies adopted on the occasion. It appeared that a certain quantity of groaning and crying (proportioned I imagine to the wealth of the parents of the deceased) was to be produced, which entirely released themselves from any trouble on that account. On their arrival on the banks of the river a large fire of dried cowdung was made and the body consigned to the devouring element. In the meantime the fair mourners proceeded to bathe quietly seating themselves in the refreshing stream and having divested themselves of those garments which "blissful Eden knew not" and relaxing the mournful cast of countenance, commenced singing, laughing, and talking till the body was consumed, when the column was reformed and the bevy of dames returned into the town beating their breasts and evincing that sorrow which the occasion demanded.

In cogitating on the scene that had passed I could not sufficiently admire this among the other customs of this enlightened nation, and it struck me that were the Europeans not entirely blinded with their prejudices this custom of the Hindoos might with the most striking advantage be adopted in lieu of the present custom of relations and friends being at the trouble of mourning for the deceased, and by which instead of that antiquated absurdity called mourning, the greatest trouble and inconvenience might be avoided.

For instance look at that disconsolate widow she has just lost the dear partner of her life and is now in the greatest distress, and weeping those beautiful eyes dull at the thoughts of wearing mourning for a whole year, and more particularly that odious widow's cap, and breaking her heart to think that plays, balls, and all those amusements for which a fine woman alone lives should be forbidden, merely because John Trott chose to die.

Whereas should my plan be adopted how much affliction and unnecessary distress would be avoided on the death of her husband; the regulated number of mourners would be put in requisition and all the trouble of weeping or seeming to weep; all the farce of the smelling bottle, the fainting, and all that affliction which according to our ridiculous notions a widow is obliged to feel, would be exploded.

Instead of shutting herself up as if she were dead instead of her husband, on the arrival of the Mourners she would to avoid the bore set out for a trip to France or the sea coast, while the mourners would bestow the *regulated* quantity of tears, sighs, sobs, and groans (for a Parliamentary enactment would of course be requisite to prevent the possibility of a man of inferior rank being as much lamented as a king or a nobleman) and he would be intered as is now the custom with a proper allowance of black cloth and feathers brass nails and mutes so much so that the most punctilious stickler for our antediluvian customs should have no room to imagine that sufficient respect had not been paid to his memory, or that he did not die universally beloved and regretted.

A Tombstone of black marble of proper dimensions, and with a suitable inscription would sufficiently indicate the feelings of his disconsolate widow as at present.

I have thought it necessary to enter into the subject thus minutely because in submitting it for the consideration of Europeans, I was anxious to prove to the most sceptical that no earthly inconveniences exist in the plan, while so much useless affliction is avoided and which I feel as every Philanthropist must most anxious to ameliorate by every means in my power. I need hardly observe that what has been adduced in the forgoing observations would equally apply to the inconsolable husband or children. When I consider the rapid strides now made by the march of intellect in Europe and when I see almost all the old fashioned laws and customs of the ancients abolished, I feel confident that my proposition requires only to be known to meet with a favorable reception in which hope I remain

A REFORMER.

Ahmedabad, October, 1*st* 1831.

To the Editor of the Bombay Courier.

SIR,

I shall feel obliged by your inserting at an early opportunity, the following extract of a letter lately received from an old friend in England, a retired Officer of the Madras Army.

"I am grieved to say that *further* reductions at the three Presidencies are now contemplated at the India House; this I heard from the *very best authority*, and nothing but the firm and timely resistance of the Military and Civil Servants, will prevent the Directors from grinding down your salaries to a bare subsistence. They have been devilishly alarmed at the conduct of the Bengalees and are in consequence rather disposed to leave them alone for the present and to commence the retrenching system on the other two Presidencies.

In my opinion every man who can pen a sentence should immediately write home for publication in the Asiatic Journal or some newspaper, a true and fair statement of the present condition of the Indian Army, both as regards promotion and the means the members of it are likely ever to possess towards their being able to return to their native Country; as the Directors are always speaking of their great liberality to their servants, and urge as a proof of it, that there are not the slightest complaints against the reductions throughout Madras or Bombay."

Your Obedient Servant.

△

Southern Division
October, 1831.

HIGH WATER TABLE,—22D OCT. 1831.

Saturday	0 10
Sunday	0 21
Monday	0 57
Tuesday	1 38
Wednesday	2 23
Thursday	3 18
Friday	4 27

EXCHANGE.

On London at 6 month's sight at 1 | 9
Calcutta 30 days 107 B'y Rs. per 100 Sicca. Rs.
Madras 30 days 101½ B'y Rs. per 100 Madras do.
Remittable Loan 146 B'y Rs. per 100 Sicca do.
5 per Cent Loan of 1822 | 23 according to the period of discharge. 107 at 116 } Ditto.
Do. of 1825 | 26 } 110 at 111 } Ditto.
Do. of 1829 | 30 }

MILITARY ARRIVALS AND DEPARTURES.

ARRIVALS.

Lieut. E. Peppercome, 16th Regt. from Western Coast.
Supt. Surg. V. Kemball, from Surat.
Lieut. H. Macan, 17th Regt. N. I. from Poonah.
Lieut. Kennedy, Engrs. from Poonah.
Capt. H. Liddell, 11th Regt. N. I. from Bhewndy.
Lieut. H. Forbes, 13th Regt. N. I. from Dapoolie.
Ensign C. S. Hodges, 13th Regt. N. I. from do.
Capt. Mackworth, Queen's Royals from Poonah.
Lieut. P. Patterson, H. M. 6th Regt. do.
Lieut. Campbell, H. M. XXth Regt. Belgaum.
Lieut. Berdmere, do. do. do.
Assist. Surg. C. Lush, Bomb. Est. from Dhapooree.
Lieut. W. J. Eastwick, 12th N. I. from Surat.

DEPARTURES.

Lieut. Kennedy, Engr's. to Guzerat.
Assist. Surg. P. Stewart, Medical Establishment to Rajcote.
Ensign H. Forbes, 13th Regt. N. I. to Dapoolie.
Lieut. H. Macan, 17th Regt. N. I. to Poonah.
Ensign F. C. Wells, 17th Regt. N. I. to do.
Ensign Amiel, 1st Gr. Regt. to Poonah.
Lieut. Freemantle, Engineers to Seroor.

DOMESTIC OCCURRENCE.

BIRTH.

On the 18th Instant the Lady of W. C. Bruce Esq. Civil Service, of a Son.

SHIPPING REPORT.

ARRIVALS.

October 15th, Ship Golconda, D. Stewart Master from China, 5th July 1831; touched at Angers, and there learned, that the H. C. Ship of War Coote had taken the Select Committee's Dispatches, and Capt Hawkins, to England: Trade in China as usual.

16th, The Government Yacht Telica, Mr. H. St. Amour, in Charge from Bancoote, 14th.

Passenger.---W. Money Esq.

Oct. 17th Portuguese Brig Hanna Fulicha, Mr. Nicola De Silva Master from Mozambique, Anchored out of Harbour 12th Sept.

Passengers.—2 Portuguese.

DEPARTURE.

16th, French Brig LaNavitin B. Guerin Master, to he Mauritius and Bourbon.

LIST OF SHIPPING IN THE HARBOUR.

FREE TRADERS.—Minerva, Vesper, Lord Amherst Lonach, and Royal George.

COUNTRY SHIPS.—Byramgore, Cadery, Maacborn Dadaloy, Discovery, Eliza Tam O'Shanter Resource, and Golconda.

ARAB.—Fazarabany, Seena Futta, Munsoory, Futtay Eslam.

HON. COMPANY'S *Receiving Ship*—Hastings.
Do. Do. *Steamer*—Hugh Lindsay.
Do. Do. *Schooner*.—Royal Tiger.
Do. Do. *Brig of War*.—Tigris.
Government Yacht—Telica.

PORTUGUESE BRIG.—Aurelia, and Hanna Fulicha.

BRAZILIAN—Amizade.

AMERICAN.—Nereus.

FRENCH.—Lá Cherie.

THE COURIER.

SATURDAY, OCTOBER 22, 1831.

The Right Hon'ble the Governor arrived at the Presidency on Thursday last from Dhapooree. His Lordship has taken up his residence for the present at Malabar Point, as the repairs at Parel are not sufficiently forward to allow of its being occupied.

The last notice of the Select Committee at Canton which we copied in our paper on Tuesday, although it has removed the fears entertained regarding the immediate stoppage of commercial intercourse with the Chinese, appears to convey any thing but a prospect of uninterrupted tranquillity in future. The Committee have abandoned the position in which their hasty resolution of the 20th of May placed them, but it appears to have been more with a view of avoiding responsibility and loss, than for the purpose of leading the way to any thing like a compromise. Indeed, since the new regulations applying to foreign trade, have been confirmed by Imperial authority, the possibility of adopting an intermediate course, even should it be desired, seems to have been entirely removed, and nothing remains but to submit to the indignities already offered, with the prospect of additional ones being added; or by the exercise of power, to force a compliance with the usages of civilized nations in their commercial intercourse with one another

The recommendation of the Committee to the British Residents in Canton, to exert every means in their power for recovering the property they may have in the possession of the natives, seems to imply a belief that a serious interruption to the commercial intercourse would eventually take place.

It is hardly to be supposed that any good will arise from mere intimidation after the signal failure which attended the last attempt: and, taking into consideration the nature of the force which has lately been sent to Canton, it is scarcely probable that threats will be resorted to without being accompanied with a resolution of putting them into effect. This however might be done without leading to a war; reprisals might be made upon the commerce of China for the purpose of retaliating the outrages which have been committed, and the indignities offered to the representatives of the nation, with just as much justice as the English, the French, and the Americans are now acting towards Portugal in consequence of the aggressions of Don Miguel. Such a course would in all probability lead the way to negotiations, which might be made the means of placing our commercial intercourse with China, upon a more creditable and secure footing than it is at present.

We observe by the last number of the Bengal Hurkaru, that a rumour prevailed there of Sir Charles Metcalfe being about to proceed to China as Diplomatic Representative of the Supreme Government: and although the Editor does not appear to place any confidence in the Report, it is not improbable that the want which, under critical circumstances would be felt for such a functionary, may have led to discussions upon the expediency of some appointment of that nature.

We are happy to say that the Sessions for the 3d quarter were brought to a close yesterday. The individuals convicted were brought up during the course of the day, and received the following sentences.

Shaik Abdulla, for Larceny, was Sentenced to be publicly whipped at the Bhore Bunder receiving 2 Dozen lashes, to be confined in the House of Correction for 2 months, and during that time to be kept at hard labour.

Ticum Ladha, for Robbery, to be imprisoned in the House of Correction for 8 Calendar Months, and during that time to be kept at hard labour.

Mhadoo Suckpall for Robbery, to be transported to the Isle of France for the term of 7 years.

Bahhurbeg Vullud Hoossienbeg, for Burglary, to be transported to the Isle of France for the term of his natural life.

Issoob Issack, for Robbery, to be Transported to the Isle of France for the term of his natural Life.

Heera Dorabjee, for Robbery, to be Transported to the Isle of France for the term of seven years.

Padda Dosa Khutree, for Burglary, to be Transported to the Isle of France for the term of his natural life.

Acoob Shaik Ailee, for house breaking, to be imprisoned in the House of Correction for 12 months, and during that time to be kept at hard labour.

Vessoo Mhegjee, for Perjury, to be exposed in the Pillory for the space of half an hour, and afterwards be imprisoned in the Common Gaol for one year.

CALCUTTA.

We understand, the Burmese Resident, who has been some time in Calcutta, proceeds to-day with his suite, under the charge of Captain Burney to the Upper Provinces, in order to have an interview with the Governor General. We are not acquainted with the precise object of his mission, but understand from private letters, there had been a misunderstanding between the British Resident and the Burman Authorities, which induced the former to quit, the Court; he had however returned on the promise of certain conditions being complied with. The Burmese Resident proceeded yesterday in a Steam Vessel to visit the Cloth Manufactory of Messrs. Jas. Scott and Co. with which he seemed highly gratified, and which will furnish him with an additional proof of British skill and enterprize.

Rumours have been flying about town, that Sir Charles Metcalfe is going to China as Diplomatic Representative of the Supreme Government, to the *celestial* Infallibility, and that a corps of 16,000 men of all *armes* will follow the *Elchee* as closely as the N. E. monsoon, and a four or five months beat to windward will permit.

We don't believe a word of this rumour, and in spite of all the reports we have heard, "we are persuaded" there will be no Chinese War. Either the Admiral will intimidate the monarch of the Vermillion pencil, and friend LEE, *paid* "member of the Military Board" by a display of the squadron off the Bocca and threatening reprisals of War against War Junks and Peace Junks, Gingerbread Batteries and Paper Lanterns or he will fail in the attempt to bully; if the latter, we cannot doubt, for reasons set forth last week, that the present far seeing and much saving Governor General of India will avoid committing himself or his superiors at home 'till the quarrel can be referred thither.

None would more rejoice than we, in any good fortune of promotion or prize money that should befal an Army so cruelly depressed as is that of Bengal, from stagnation of advancement and shearing to the very quick, by those who never knew what it was to enquire the pinch of want—but there is no likelihood of any such spirit stirring times being at hand, nor if there were, does it seem likely that more advantage would arise in the shape of prize money to the troops employed, than the Burmah war produced, while to the state and to the nation, we think the consequences of such a war would be exceedingly detrimental, in the end, to all parties. A fresh war would assuredly be followed by fresh *clipping* and *shaving* to assist in the necessary but difficult job of *squaring accounts*.—*Ben. Hurk. Oct.* 3.

The *Canton Miscellany*, to which we have already been indebted for some *pabulum*, contains Extracts from an unpublished journal of the last Embassy to Peking in 1816—which, notwithstanding the publications that have already appeared on the subject, we doubt not will prove acceptable to our Readers, at a time when public attention here is so much directed towards the Celestial Empire.

AUGUST 11th. Proceeding rapidly along the Pei-ho, on our way to the Capital. Neither of the Mandarins, our conductors, shewed the least attention in visiting the Ambassador at our occasional places of stoppage, a mark of civility which we had been led to expect from the accounts of the last Mission. From whatever cause it may arise, (I suppose we shall find out in due time,) there seems to be a decided ill-will towards us. Our near approach to Tien-tsin must soon bring the question of ceremonials into discussion, and it will no doubt be proposed to the Ambassador to make the nine prostrations before the Emperor's imagined presence. There cannot, I should suppose, be two opinions on this subject. The most determined and unconditional refusal seems absolutely necessary. My own persuasion (founded on the import which the Ko-tow bears among the Chinese themselves) is, that even before the Emperor himself such an act of homage should be considered as impossible from the Representative of our Sovereign. Similar reasons lead me to wish that the inscription Kung-she, "*Tribute Bearer*," had not been allowed to be suspended from the mast of the Ambassador's own Yacht. The Chinese histories observe of the conduct of an Emperor of the Sung Dynasty, who concluded a peace with the Tartars on disgraceful terms, that "he shamefully made use, in the Treaty, of the word Kung, Tribute." I think we might have insisted on this flag being taken down, and our own put in its place, without making the propriety of the inscription a matter of debate. There would have been an appearance of reason in this proposition, which the Chinese might have found it difficult to object against, for our own flag would have been as good a mark for the boat as theirs, if not a better. Moreover, if we are not to knock-head at last, it would be more consistent with such a line of policy, because "*Tribute Bearers*," have hardly any pretensions to such nice scruples.

It appears, however, that the Ambassador has received it in his instructions from our Government to consider the matter entirely as a question of expediency, with full authority to comply, should compliance be calculated to attain the objects of the mission. I am persuaded that, instead of gaining any points by such a measure, we should only become contemptible in the eyes of the Chinese, and in fact do ourselves more harm than good. Witness the Dutch Embassy! As far as personal feelings are concerned, the Ambassador must no doubt be very averse from compliance, but with the authority from home to yield the point, rather than make it the ground of a rupture, there is no saying what may happen. It never could have been intended, however, that he should do so unconditionally, that is, without securing at least some of those important points, which are reserved as the subjects of negociation. Were we to have an audience of the Emperor, and to do homage, before bringing any of these subjects on the carpet, it would be the easiest thing in the world for the Government of Peking to send us off afterwards at a moment's notice, telling us that we had now finished all that we came about. Reserved and unfriendly, not to say rude, as the behaviour of our conductors has hitherto been, one is inclined to anticipate the worst; and there seems so little prospect of succeeding in any thing, that it may be a question whether the point of ceremony would not be the best to break off upon, because it would involve no article of ulterior negociation, and might be a good way of asserting our independence, without making other matters worse than they were before.

It is curious to observe the difference between the instructions received from the Government, and those emanating from the Company. The former imply, that we go simply in search of what we can pick up, and that we must regard the performance of the ceremony merely as an affair of profit or loss. The others say, "You should have most regard to the effect that the Embassy is to produce at Canton, you must complain of the conduct of the local authorities to our trade; and you must make no concessions, in points of ceremony or reception, which are calculated materially to diminish the national respectability of the English at that place." Now as the welfare of the Company's trade is really the only object of the Embassy, we may conclude that the Company are the most likely to give the best advice on the occasion, because their reasonings and instructions are founded on their own knowledge and experience. Distant as Peking is from the seat of our Trade, the effect of the Embassy at Canton is of more importance than its merely nominal reception at Peking, and less is to be gained by a servile compliance with the demands of the Imperial Government (which, as in the case of the Dutch, would only aggravate our ill-treatment) than by a proper appeal to the justice of the Emperor against the insolence and extortions of his officers at Canton, and by a decent maintenance of our national independence. The Chinese are so ignorant and illiberal a people, that their good opinion and consequent good treatment of us are not to be gained by undue concessions in essential points. These they always look upon as necessary acts of deference to their immense superiority, and therefore nothing extraordinary; while a contrary line of conduct, tending to dispel these absurd illusions, causes them to consider us on a footing of greater equality. At the same time, nothing but the grossest stupidity and wrong-headedness would ever, in the first instance, withhold from them that conciliatory tone of demeanour and language, a failing in which places us on a level with those we condemn, and shakes those pretensions to superior civilization which we are always so ready to advance.—*Govt. Gaz. Oct.* 3.

CHINA.

(*From the Canton Register 5th July*, 1831.)

RESOLUTIONS OF THE UNDERSIGNED BRITISH SUBJECTS IN CANTON.

Canton, 30th May, 1831.

The undersigned, British subjects resident in Canton, having seen the recent acts of aggression, committed by the Chinese, on the property of the Honorable East India Company, and witnessed, with deep regret, the treatment and death of an innocent Hong-merchant, on the false charge of traitorous connection with the English; and the Viceroy and Hoppo having now communicated to them a new and objectionable code for the future regulation of the Commerce of Canton; they have unanimously resolved.

1st. That the statement, published by the President and Select Committee, of the grounds upon which they have come to the determination of stopping the trade (should satisfaction for past, and security against future aggression, not be granted by the Chinese Authorities,) enumerates only a part of the vexatious exactions unceasingly made upon European Commerce in this country.

2nd. That the new code of regulations for foreign commerce, recently submitted to the Emperor for his approval, in place of alleviating, tends materially to aggravate the evils of the arbitrary and obnoxious system under which commercial intercourse with China has been hitherto, with difficulty, carried on. That the mere fact of such Regulations having been promulgated would not produce much impression on the minds of the undersigned, it being well known that the Chinese Authorities issue laws, which they never mean to enforce; but when this code, now delivered to all the merchants in Canton, is joined to the fact of the violent entry of the Company's Factory, the demolition of their property, the gratuitous insult offered to the picture of the King of England, and particularly, the refusal of the local Government to receive any remonstrance or address from the Honorable Company's Servants; a deliberate plan to oppress and degrade British subjects is clearly manifested; to endure which, in silence, would prove them deserving of even the insults they are exposed to.

3rd. They therefore feel it their duty to remonstrate with the member of the Chinese Government, and to appeal to their own country, against yielding to the caprice of the local authorities, convinced as they are, that, for the ultimate benefit and security of commerce, it were even better to resort to the extreme measure of resistance, than to render the trade, each year, more precarious and unproductive, by submitting to increased exactions, national injury, and constantly recurring petty disputes with the provincial Government of Canton.

4th. That the refusal of the local authorities to receive any communication from the President and Select Committee, thus preventing all amicable adjustment of existing differences, renders it advisable to adopt the most decisive steps, if Great Britain wish to retain any beneficial commerical intercourse with China; it being apparent from the whole history of foreign intercourse with this Empire, since Captain Weddell, with a few merchant vessels,* in the middle of the seventeenth century, took possession of the Bocca Tigris Fort, and Sir Murray Maxwell, in recent times, silenced the same Fort by one broad side from the "Alcest;" that firmness, resistance, and, even acts of violence, have always succeeded in producing a spirit of conciliation; while tame submission has only had the effect of inducing still further oppression.

5th. They, therefore, desire to express their unequivocal approval of the measures lately adopted by the Select Committee, considering them conducive to the general interests of British Commerce with this country.

William Jardine,	*James Innes,*
James Matheson,	*P. F. Robertson,*
A. P. Boyd,	*W. H. Harton,*
James H. Rodgers,	*C. Fearon,*
George Horbuck,	*John C. Whiteman,*
James Ilbery,	*F. Hollingworth,*
Arthur S. Keating,	*John Templeton,*
Alexander Matheson,	*H. Wright,*
T. C. Beale,	*Henry S. Robinson,*
A. Grant,	*J. Henry.*
R. Turner,	

HAINAN. It is reported that a very angry message has arrived from his Imperial Majesty, on account of of the Insurrection in Hainan not being more speedily suppressed. The Tartar general with a thousand of his Mantchow troops, is ordered off to the seat of war.

The mountaineers are said to shoot with poisoned arrows: and the climate has killed a considerable number of the troops which went thither. A report, indeed, was some time since, raised of the death of Governor LE. His Excellency had announced that he would return to the provincial city in the early part of this month, but, it is since understood that he has crossed over to the Island of Hainan: some say in consequence of the insurrection having broken out anew; while others allege that it is the circumstance of its having been entirely quelled, that has encouraged His Excellency to this undertaking.

(*From The Canton Register, 4th July* 1831.

BRITISH SUBJECTS IN CHINA.

To the Editor of the Canton Register.

Mr. Editor,

The circulation of your valuable publication has become so extensive, and has already tended so much to enlighten the world on the subject, (hitherto so little known) of China, that I am induced to request your insertion of the detail of a very few of the grievances to which Englishmen are subjected in this country. It has been observed that however invention may flourish in the arts, there is but little of it in Literature, and that the ingenuity of those who write is chiefly displayed in varying the forms of our forefather's thoughts: if this be correct, it emboldens me to lay claim to some originality, for, I much doubt if our forefathers ever thought of the indignities Foreigners are subjected to in China, and much less that Englishmen would have so long patiently submitted to them. It must be borne in mind that in describing some of these indignities, my object is to enlighten those at a distance; we, who are resident here, unfortunately know and feel them but too well, and it is devoutly to be hoped that, when more generally known, our country will feel for, and relieve us. Sir, my case, which is equally the case of every British merchant in China, is pitiable, indeed. When at Canton, the Viceroy's late Edict informs me that I am to be watched in and out of my dwelling, and, besides, must only remain in the provincial city a few months in the year, and, when there, I am not allowed to ascend, as it is termed, a shoulder carriage, (so the Chinese denominate a Sedan chair) no matter whether the miserable spot to which Foreigners are confined be under water (which is frequently the case in the summer months from the high tides) my only resource is, being carried on a Cooley's back. (1) An Edict issued, some months since, by the Viceroy: says, "the Barbarians must not presume to sit in shoulder carriages, as, in the provincial city, it is necessary to make a marked distinction between them and the natives of the Celestial Empire"—and, what demonstrates the humanity of this people, the same edict goes on to say that, should the Barbarian be sick,

* In the printed copy first circulated, it was erroneously stated, with a single vessel. There were three the Catherine, Dragon, and Sun, together with the pinnace Ann.

(1) See Canton Register November 15 1830.

and not able to walk, he is permitted to lean on a hurdle and proceed ! ! !

This will scarcely be credited, but you, Sir, know it to be no exaggerated statement.

It affords a poor consolation to me that I am not worse off than my neighbours, for what I have stated applies equally to all, high and low, President and members of the Select Committee, all must walk or have recourse to the same expedient.

So much for our respectability in this country under the heretofore protecting influence of the East India Company, which, in evidence taken before the Committees of both Houses, is described as absolutely necessary, to support the dignity of British character in China. But to return to my story: if I quit Canton, on arriving at Macao I am summoned before the Portuguese Governor, and told that the orders from Lisbon forbid my residing there. Surely the Government of England will not suffer such a state of things to continue much longer.

The indignities offered to the British flag in this country are little known and would not readily be believed. When an English vessel of war arrives in China, an Edict, immediately issued, orders her away, and interdicts all provisions, and, it may be, a shot is occasionally fired at her by the mandarine Junks deputed to watch her proceedings. To obviate such things occurring, and to secure our commerce with this country free from interruption, all British men of war (as an Englishman I blush with shame at being obliged to write it) are ordered not to approach the coast of China: French and American men of war do occasionally brave these dangers and visit this port, but a British pendant is not suffered to shew itself in the waters of the Celestial Empire. And what has been gained by this concession, so derogatory to British feelings; has our trade been free from interruptions, has the conduct of the Government been less haughty and overbearing?—To suppose advantages gained of any kind would be ridiculous.

The answer to these questions is best found in the humiliated condition of Englishmen in China at this moment. The only argument in favour of such a system that merits a reply is, that it were better His Majesty's ships should not be insulted. But, what reason exists that they should be insulted *with impunity*; Of all foreigners in China, the best treated are those belonging to the Opium ship- at Lintin; it is perfectly well known to the Chinese war boats and others that the boats belonging to these ships are always armed and always resent an insult or injury on the spot, consequently is is rarely if ever offered. An Imperial war Junk that would not scruple to fire a shot at one of His Majesty's Frigates or sloops of war would pause e're it offered a like insult to one of the armed smuggling traders at Lintin.

Every one's attention is now turned to the signs of the times. Before affairs can be placed on a footing that will hold out any reasonable hope of tranquillity for the future the Chinese must be undeceived and must be taught that England in the character of a prudent merchant will calculate accurately the cost of what she buys, and will not consent to purchase Tea at the high price of national disgrace. This will never be taught by negotiation or Embassy; experience has demonstrated both to be useless. Arguments more forcible must be found and, when the time arrives for making use of them the world will be surprised how quickly and with what facility they will convince. All that has been written in favor of the necessity for the present system will be converted into waste papers and the arguments of Commissioners for making the *Ko-tow* will be a joke. (2)

A crisis it is to be hoped approaches for as no quiet of any continuance can be expected until that crisis be passed the sooner it arrives the better, for Commerce cannot long be carried on to any advantage in the present state of uncertainty. Attempts at conciliation either by tame remonstrance or dignified forbearance (attempts which having been in use here for the last thirty years are worn threadbare) instead of tending to tranquillity will, judging by the past, produce only a contrary effect.

Should you think this letter worthy a place in your valuable paper you may possibly hear further from.

A British Merchant.

CANTON, May 26th 1831.

The wife of a Comprador in one of the foreign factories, being visited a short time since by her mother fell into a dispute which ended in the mother and daughter coming to blows. The latter in her passion stabbed her mother in the side causing her immediate death. This crime is punished by the daughter being cut to pieces, and her husband transported.

It is said that in the Tung-kwan district (which lies to the eastward of second Bar and the Bocca fort) in the battles fought between the different clans about four hundred persons were killed. Only twenty-seven of the kindred of the deceased have appealed to government for redress.

REVIEW OF CRIMINALS. On the 25th of the 3rd moon criminals capitally convicted from the various prisons in the several districts of Canton province to the number of 291 persons, passed in review before the deputy Governor or Foo-yuen, CHOO Ta-jin. According to the usage in such cases the gates of the great Hall were thrown open. Then the Judge accompanied by other officers went in and requested him a first, a second, and a third time to come out and review the prisoners condemned to die. He then came forth sat down in the chair of state and interrogated successively the wretched men whether their names corresponded to his list or not. This ceremony being completed a common fan thirty or sixty cash and three loaves were bestowed in the name of the Emperor on every criminal.

These men's cases will be reported to the Emperor and referred to the supreme criminal board which will give its decision in Autumn; until which time they were remanded to the various local prisons throughout the province.

The Deputy Governor of Shan-se province has been dismissed for unofficer-like conduct and one charge against him was that when reviewing the condemned prisoners in the manner above described he allowed his family to look on from behind a curtain in the rear. To try this man who had been accused by one of the Censors the venerable Sung-Ta-jin was sent, he acquitted him of all the serious charges and found him guilty only of the minor modes of misbehaviour. *Seu* was accused of drunkenness but old Sung who is a great toper defended his brother officer by positively telling the Emperor that *Sue never drank a drop* which is probably true, for he drank it by the Catty or pound. Sung told the Emperor that the populace in Shan-se were severe on *Seu* the deputy Governor and Ye, the judge in a distich which they got up and which the boys sung about the streets thus:

SEU keu yih tèen,
Tèen yew yen;
YE lew tszete,
Te woo pe.
The day that Seu goes,
Will prove that Heaven has eyes;
But if Ye stay here,
He will peel the very sod from the earth.

Or, literally, "the earth will have no skin," because of the Judge's extortions.

FOREIGN LADIES.

Letter from the Hong-merchants, accompanying an order from the Governor, communicated by the Nan-hae-heen, against foreign females going to Canton.

A respectful notification. On the 1st day of the 4th moon (May 12th) we received, from the Nan-hae-heen, an order, received by him, from the An-châ-sze, who had received it from the Governor, declaring that, for foreigners of any nation to take with them foreign females to Canton, is in opposition to the regulations and prohibitions. The order, we have now received, reprimands us, and condemns the linguists to be punished by the cudgel; and declares "that the prohibitions must be implicitly obeyed, and if (the foreigners) again oppose and presume to bring females to Canton, a Memorial shall, assuredly, immediately be sent to the Emperor, and they shall be driven out with severity, and, for ever, disallowed to come to Canton to exchange their goods, and take away our products."

We now send a copy of the Governor's order praying you, Sir, to examine and act according to the tenor thereof, and to enjoin on all the Gentlemen of your honorable nation that they act in obedience thereto. This is what we pray, and for this special purpose we send this notification, and remain, &c.

(The names of How-qua Junior, and the other nine merchants, are subscribed.)
4th moon, 8th day. (May 19th 1831.)

Governor Le concerning Mrs Kierulf's visit to Canton. (Received June 1th: dated May 16th 1831.)

Le, Cabinet Minister, Governor &c., to the Hong-merchants.

On the 2nd day of the 4th moon of the 11th year of Taou-kwang, at Luy-chow, I received a statement from the Nan-hae-heen, mentioning that the Hong-merchant How-qua Junior, had given information that Skipper Kalen of the Danish nation, a barbarian merchant, having to settle some accounts with another barbarian, had, on the 18th day of the 3rd moon, brought a barbarian, wife, "one month," to Canton, and was dwelling in "Ewo" Factory. The said merchant and others had already given him strict orders on the subject, and he affirmed, that his taking her to Canton was a sudden and rash act, arising from ignorance and mistake. But, on the 22nd day, he took the said barbarian woman, and commenced their passage away back &c.

On this coming before me, the Governor, I examine and find that it has long been strictly interdicted to bring females to Canton to reside. Last year the English Chief violated the laws, and brought females, but they were expelled, and driven back to Macao. And I, Minister and Governor, during the 2nd moon of the current year, sent a memorial to the Emperor stating the old regulations designed to guard against foreign barbarians.

(Here he quotes his own recommendations to the Emperor, which have been already translated, about foreign wives, Weileto &c.)

Since the Imperial Will has not been received, the Memorial has not been made known.

Now the Danish Skipper Kalen, a barbarian merchant, has presumed clandestinely to take his wife to Canton to reside in "Ewo" Factory, a proceeding extremely audacious and imprudent. It would be right agreeably to the suggestions in the memorial, to stop his trade, but, indulgentloy considering that the said merchant, when he received orders, immediately commenced his passage and went away; therefore thro clemency, a deep scrutiny will be waived.

Uniting the above circumstance, an order is hereby issued to the Hong-merchants, to communicate forthwith my order to the merchants of all the nations to yield obedience thereto. Hereafter, those who come to Canton to trade must yield a trembling obedience to the interdicts of the Celestial Empire. If they bring foreign females into the port, they must, according to former laws, land them at Macao to dwell in *Nan-wei's* house: they must not presume to take them to Canton. If they dare intentionally to disobey, the moment it is discovered, they will, according to the regulation reported to the Emperor, be sent away in custody to Macao, and the trade of the offender will immediately be stopped. Decidedly, not the least indulgence will be shewn.

If the Hong be unable to give the necessary previous cautions, and so keep up a strict watch so that the said barbarians do again bring females to Canton, then the senior merchants, the linguists and the compradors, shall, in a body be severely punished. Positively there will be no bending to lenity. Tremble at this. Intensely, intensely, are these commands given!

TAOU-KWANG, 11th year, 4th moon, 5th day (May 16th 1831.)

IMPERIAL REWARDS.—We see, by one of the Peking Gazettes, that the Emperor has sent a message to the Governor of this province telling him of an instance of gross carelessness in one of his late despatches; in which, he wrote the word "right," instead of "left." But another paragraph of the gazette makes up for this. It is one in which his majesty publishes his triennial decisions, concerning the merits and demerits of the great officers of the empire; and Governor Le-hung-pin, as his name is given in full, is among the happy few, commended by the Emperor. Le is praised for performing the duties of his situation with *fidelity*: General Yang-yu-chun is lauded for having come off victorious in a hundred battles, and toiling in the remotest parts of the empire, with zeal and ability, which fitted him for the highest stations. Duke Chang-ling is declared illustrious, both in the court and in the camp, &c. &c.

The Cabinet Ministers are praised for being attentive to the imperial will. A few great officers are reprehended for inactivity and carelessness, and some are dismissed on account of age and imbecility; many of them without any provision for the future, while others get half-pay, or the whole of their allowances. The language used is often harsh. Governors are told to compel the old imbeciles to retire. (By the bye, this does not look like famed respect of the Chinese for old age.)

(*From the Canton Register, July*, 15.)

NOTES OF HISTORY.—A statesman of the Tang dynasty recommended the Emperor Kaou-tsoo to put away all sycophants from the court. His Majesty asked, "who are the sycophants?" To find them out, his adviser suggested this notable expedient. "At your next levee, when your courtiers are all about you, consulting on national affairs, effect to be angry in order to try them. Those that pertinaciously reason the point and won't submit to you, are upright statesmen; those who are awed by your Majesty, and submit to your will, are sycophants. The Emperor replied, "the Sovereign is the fountain; statesmen are the streams: from a turbid fountain, clear streams cannot be obtained. If the Sovereign act a deceitful part, how can he expect upright ministers. I must rule with perfect sincerity. Your device, Sir, may be a good one, but I cannot adopt it."

Historians give, on the same page, a variety of this Emperor's good sayings. His ministers were one day consulting how to put a stop to robberies and banditti. One recommended severe punishments. His Majesty immediately objected, and said: his method was to practice economy; diminish taxation; employ upright magistrates; and cause the people to have abundance of food and clothing; then they will cease to be robbers, and severe punishments will not be required.

He was in the habit of saying: "the Monarch depends on the nation at large; the nation depends on the laboring classes. To extort from the people, in order to present to the monarch, is like cutting flesh from one's body to fill the stomach: the stomach may be filled, but the body will die; the Monarch may be enriched; but the country will perish. I always consider the matter thus, and dare not indulge myself."

He one day said to his ministers who were standing about him: "I have heard of a man named Koo-hoo, in the western regions, who, having obtained a valuable pearl, ripped open his body to hide it. Was it so?" "Yes," was the answer. The Emperor continued: "every body has sense enough to laugh at Koo-hoo, who loved the pearls instead of loving life. If you have bribes to pervert the laws; and indulge your sovereign's extravagance so as to ruin the dynasty, will not our conduct be as laughable as that of Koo-hoo? Let us exert ourselves to assist and support each other, least we make ourselves the objects of laughter."

PIOUS FRAUD.—Many of the Chinese Ethical works are accompanied by tales evidently fabricated in order to work upon the imagination and deter from the commission of vice.

A tale has been lately got up, printed in red characters on a single sheet, and placarded about the streets, directed against the use of Opium. The first set, pasted up about two months ago, was all white washed out within two days, it is supposed by the Opium dealers. We subjoin the substance of the tale. It is headed in large characters:

TO STRENGTHEN THE LIVING AND SUPPORT THE FALLING.

My name is Lin. I belong to Pingpoo village, in the district of Shuntih. From childhood my family was poor, and both my parents died early. At the age of eight years I went to a foreign land belonging to the red bristled English, in order to trade for a livelihood. When I was sixteen, my uncle died, and was buried in "Black Crow hill," where there were tombs for three generations. After the funeral was completed, the corpse was stolen, and I could obtain no information concerning it; nor was there any Imperial law there to appeal to; when I requested our Elder to instruct me what to do, he said: "At our Chinese Tomb hills here, those, who bury, watch the graves a hundred days, for if they do not, the barbarian thieves steal the bodies and boil the bones to make Ya peen, i. e: Crow-cakes or Opium.' Afterwards I had a barbarian acquaintance with whom I traded, of whom I enquired into the composition of Ya-peen, and where it came from. He said if I wanted to deal in it he would let me see it made. The same day he led me to a Ya-peen temple situated in a valley among the hills. An immense gate first presented itself to view. Here there were numberless tablets dedicated to the mane of ancestors. We entered, through the Temple, to a garden behind. Here there was a vast number of old Ya or crows, from which the wings had been plucked, feeding on the entrails of dead bodies. There was a complete hill of blanched human bones. There was a lime pit, a large boiler, and an immense furnace. The foreigners took the dead bodies, scraped the flesh from the bones, put it into the pit, and steeped it seven days. The white bones were burnt to powder, Sugar was added, and poppy flowers. Then the whole was boiled seven days more; then the whole was strained through a white cloth, the inspissated part taken, and again fired till it formed a paste, which was dried in the shade. The stink of it was insufferable to the nose even a mile off and the smoke, like a cloud, obscured the sun. The bodies employed were half men and half women; and the old Ys, or crows, were half females and half males, hence the name by which it is called Ya-peen, i. e: Crow-paste. This is the true foreign Opium. When eaten it causes instant death. The smoke of it gradually exhiliarates the spirits, and hence the poison flows throughout China, involving very serious consequences. In the barbarian lands it is the custom, to send the bodies of parents to the Temple spoken of, under a supposition that their souls will thence ascend to Heaven; not calculating on their bodies and bones being converted into opium. The reason why the barbarians don't eat opium is, that they may not eat the flesh and bones of their fathers and mothers.

Opium stupifies the heart. The more that is taken, a man sinks the deeper; in length of days, the drawing of appetite is irresistible. The smoke effects the eyes, and the spirit is stupified, till, eventually, the spirit is dissolved and the animal life dispersed; the man becomes rotten and shrivelled; the flesh is discolored and wastes away, so that the man does not know himself in the glass. Where is the difference between this, and the prince of devils entering into a man? At first, people associate occasionally with opium smokers, and, at last, take up their abode with them. It breaks up families, and squanders patrimony; it cuts off posterity, and kills the individual. It is truly a demon that stupifies the soul.

Time hastens on unobserved. After I had been sixty years abroad, I began to think on my native village, which might be infected with this poison. I therefore returned and indeed found that the men of the village market were all stupified by it. The number was incalculable. I could not sit still and see this state of things, and, therefore, for the information of all concerned, have printed this Tract.

I recommend all inveterate opium smokers to take a copy of this, and hang it up in their bed; where, burning a stick of incense before it, let them recite it. Then the devil will know that his trick is discovered. The spell will be broken, and the god of the heart will return. Hence, ability will be obtained to separate from opium, and not be again infatuated by it.

Lea-wân of Tung-kwan district, being applied to by his father for money, gave the old man a rather saucy answer, on which the father struck the son. The son, who was, habitually, of a bad disposition, seized a knife and stabbed his father in 18 places, which caused his immediate death. The parricide was seized by government and has, by order of the Foo-yuen, been put to a slow and ignominious death, his body being dismembered by 36 cuts of a sword.

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(2) See Pamphet by H. Ellis Esq. 3rd commissioner in Lord Amherst's Embassy to China, which advocates the expediency of the English Ambassador making the Ko-tow, which is a prostration nine times before the Emperor.

EUROPE.

ARISTOCRATICS.

Lord Lonsdale, the Lord Lieutenant of Cumberland, has declined to take cognizance of the riots of his colliers at Whitehaven: the sufference of which implicates in the suspicion of countenance both his agents and the local magistracy. It remains now to be seen whether the Ministry will do its duty; remove the Earl from the Lord Lieutenancy, in which he has set such an ill example; and appoint, according to the petition of the inhabitants, a more efficient magistracy. We fear they will not: for

the weakness of the Whigs is an undue apprehension of the sort of power which an Earl of Lonsdale possesses. Fling the stone, and the giant dies: but they will not fling the stone, lest it should make the giant more their enemy. Will forbearance and sufferance of his insolence make him a friend? No; they dream not of such an effect: but yet, they would tremble at the idea of exasperating one who cannot be more hostile than he is. When will Whigs discard their old charts, which are unsuited to the altered state of things? As the tide of opinion has been rising, the old rocks have lost much of their mischievous ascendancy. When will they discover, that, as the public has been growing in power, the potency of individuals has relatively declined. But aristocrats are naturally slow to recognize this fact, because the exaggeration of the importance of their adversaries flatters them, by reflection, that they belong to the same giant class. In the instance in view, we shall see whether Government will not disgust a country, and neglect what is due to the protection of society, and the furtherance of justice, rather than give a deserved blow to an enemy.

The Reform bill is certainly an instance in which the Whigs appear to have justly measured the strength of the country against the strength of the oligarchy; but is their sagacity exhausted by this effort, or will not the great demonstration lead them to other truths in the same course of experiment?

At the meeting held at Whitehaven, to consider the measures advisable in consequence of the riots several gentlemen stated that their lives had been in danger, and Mr. Hartley said,

"I have lived in Whitehaven fifty years and I am certainly at a loss to conceive what I have ever done, that my life should be sought to be taken by the agents of the Earl of Lonsdale. I have never been opposed to the interests of Lord Lonsdale; I have been, indeed on friendly terms with him and have frequently dined at his table, and what the offence may be that has created the wrath of his agents I can't say. After the first attack here in the evening I went to see one of my sons, who had gone into the crowd. I found him with his skull cut. We got into our carriage and when we came near the archway, I found about twenty colliers waiting to attack me; my coachman whipped forward and had it not been for him it is my opinion that I should have been killed."

Mr. Hartley further observed---

"To the town we are indebted for independent trustees: those trustees have long been accustomed to meet in a room provided by the Earl of Lonsdale, and for whichwe have all felt much obliged to him: but I, for one will never meet in that room again. The trustees have a room of their own, at which they receive the duties. I shall certainly move that that be our future place of meeting. The subject has been in contemplation before and we cannot do better than adopt it now. If we are to lose our lives---*if blood is to be shed, the room provided by the Earl of Lonsdale in the colliery office is more fitting for the purpose than the other* and, therefore, I shall avoid it."

This is very serious language but, nevertheless, before the meeting broke up, the same gentleman said---

"One word before we part. I understand that the Earl of Lonsdale will visit Whitehaven this afternoon. Let me beg of you when he arrives, "that you receive him with that respect due to a nobleman!" [*hear, hear.*] I understand that a person went off this morning to stop his lordship in consequence of these proceedings but I hope he will not succeed in his errand—for I should wish his lordship to see this house with his own eyes. But let me again beg of you to treat him with respect."

In no country of Europe but England would this admonition have followed upon such a representation. Lord Lonsdale's agents are said to have instigated his labourers to murder—Lord Lonsdale is said to have refused even to reprimand his creatures—Lord Lonsdale's room, for the meeting of the town trustees is said to be a place to be avoided, as too convenient for bloodshed! and after all this the *respect* due to a nobleman is entreated for the alleged patron of such iniquities? Whether Lord Lonsdale's conduct has warranted the representations we have quoted, we have no means of judging but if it has done so, and if it had warranted a yet graver accusation we know that in the judgment of a certain class of people there would yet remain to him "the respect due to a nobleman"—so long as his coal-pits and his broad lands remained to support it. The respect due to a poor nobleman is soon destroyed: but a nobleman of some thousand pounds a year has a tough hold on the world's honour.

The respect professed for title in this country should make it the ridicule of the whole world. Sensible foreigners are keenly alive to the folly. We have heard an anecdote which excellently illustrates the effect upon their minds. Two Frenchman visited this country together. The one a man distinguished for science and whose knowledge and judment rendered him an authority in society the other his favoured companion a person of no distinction but of title. The moment these men crossed the Channel, they found their relations reversed.

On landing at Dover, the anxiety lest the Marquis had suffered much from sickness, was intense: while the *savant's* stomach was void of interest. When they set off for town, the people at the inn-door were horrified by seeing the Monsieur Nobody spring first into the carriage, and wondered at the condescension of his Lordship, really proud to follow his admired associate. In company, to the great astonishment of both friends, on all matters of knowledge or taste, the Marquis was the person consulted—the plain Monsieur being passed over as an individual of no sort of consequence.—The Marquis felt the absurdity of his position of reversed importance—"What," he said to his superior companion, "do these people mean by deferring to my opinion of things, of which I know little or nothing, in the presence of you, who know much, and are one of the world's leaders?" When the thing was explained to him, the observation was, that it was as sensible to defer to a man in proportion as the first letter of his name was high up in the alphabet, as because the accident of birth dubbed him a count, a marquis, or a duke. To follow out this idea, let us suppose a land of solid, sensible people, in which Dobson is courted, and deferred to, in preference to Thompson, because his D is of higher place in the alphabet. And should Dobson's colliers be instigated to murder by Dobson's agents, whom Dobson refused to dismiss or reprimand: and should Dobson's premises be pronounced dangerous, and to be avoided, as fit for bloodshed, let us suppose the gentleman who makes such charges yet claiming for him the respect due to his D!

TORY OUTRAGE.

A meeting of the inhabitants of the town of Whitehaven was held on Monday at the Black Lion Inn, to take into consideration the measures proper to be adopted in consequence of the late disgraceful riot, and especially the propriety of presenting memorials to the Lord Chancellor and the Lord Lieutenant of the county, for the appointment of a more efficient magistracy. The meeting was numerously and respectably attended, and great indignation was expressed at the conduct of Lord Lonsdale's colliers on the occasion alluded to. The police, it was said, had been in the midst of the crowd for hours on Saturday, and yet, when called upon to identify some of the actors, they declared that they knew none of them—that they had never seen any of them before. Captain Walker said that as he was about to step into his carriage on Sunday night, several of his friends informed him that a party of colliers were lying in wait on the Bransty-road to murder him. Having Mrs. Walker with him, he determined to go by the Hensingham-road, and by that means had deprived the blood-seekers of their prey.—Mr. Hartley (banker), said, that although he had been on friendly terms with Lord Lonsdale, and had never opposed his interests, it appeared he had, by some unknown means, excited the wrath of his lordship's agents. After the first attack on the inn, he went to see one of his sons, who had imprudently gone into the crowd, and he found him with his skull cut. (Shame, shame.) "About twenty colliers," said he, "waited near the entrance of the town to attack me; my coachman whipped forward, and had it not been for him, it is my opinion that I should have been killed. (Strong expressions of horror and indignation burst from every part of the meeting.) They struck at my man upon the box, and attempted to strike me. (Shame, shame.) The coachman drove too quickly for them to do much mischief, and when they could do no more, they threw their bludgeons at us. The ends of the bludgeons were filled with lead." Part of the ale distributed to the colliers was given by Mr. John Harrison, a magistrate. Resolutions for the purpose of carrying into effect the object of the meeting, were passed unanimously; and the names of the persons to be recommended as new magistrates, were received with loud cheering. It was determined that the trustees of the harbour should be called upon to investigate the conduct of the police, conjointly with the committee then appointed, and endeavour to bring the perpetrators of the riot to justice. A poor boy was struck on the head with a pick-axe so violently, that his life is still in danger. Green, the policeman, was seen to go into a public-house at two o'clock on Sunday morning, and treat some of the most active of the rioters with liquor. The announcement of these facts was received by the meeting with loud and indignant cries of "Shame, shame."—Thanks were then voted to the chairman, and the meeting separated. The Earl of Lonsdale *arrived at* Whitehaven on Monday last. He still retains all his agents, and refuses to interfere in the business. On Wednesday a deputation waited upon his lordship with a copy of the resolutions agreed to at the public meeting on Monday, at the same time detailing to him the occurences of Saturday. He declined to interfere, and referred the town to the Lord Chancellor for a remedy. The *Carlisle Journal* says, "that if the ministry overlook this premeditated riot, and continue the Earl of Lonsdale in the Lord Lieutenancy of Cumberland, they will most grossly neglect their duty to the public."

Use of a Red-hot Poker.—During the attack made by the colliers in Lord Lonsdale's mines on the reformers, the gentlemen did considerable execution among the assailants by coming out into the street armed with red-hot pokers, which they, remembering the example of *Baillie Nicol Jarvie*, had prepared within doors for the purpose.—*Examiner, June* 12.

THE DUKE OF BEAUFORT AGAINST THE SPECTATOR.

The Attorney-General, at a late hour on Thursday, showed cause for the defendants in this case. (In the report that follows, which is substantially correct, we merely collate the accounts given in the various morning papers—we took no notes ourselves.) The rule called upon the publisher and proprietors of the *Spectator* newspaper, to show cause why a criminal information should not be exhibited against them for printing and publishing certain scandalous libels on his Grace the Duke of Beaufort and his family. He would take the liberty of considering, first, the paragraph which had been sent out in one of the affidavits upon which the rule had been obtained. It began thus—"In the way of taking counsel, let every Reformer commune only with himself, saying, 'What can I by myself do to promote the good cause?'" That, he hoped, was not a libel. The question was answered —"Let him rush to do what strikes him as the best thing to be done at the moment; and that thing finished, let him bring another instantly." That was not a libel. Then there was another extract (not immediately following), in these terms—"The subscription of the great borough-owners is the most bare faced piece of profligacy to be found in the whole history of boroughmongering. Why, the money subscribed is rightfully the nation's---at least, if that still belongs to a man which has been wrongfully, taken from him, and if, as is clear, these borough-lords would not have had the money to subscribe, unless they had quartered their brothers and sisters, and mothers and aunts, on the public, as well as not a few of them, their mistresses and illegitimate children." It then went on—"Who forgets the history of the late Duke of Beaufort's will, which may be seen at Doctors' Commons on payment of a shilling, and which charges the estates of the present Duke with annuities to his brother 'until they shall be better provided for by Government?' The amount of public money received by the Somersets since the late Duke of Beaufort came of age, far exceeds the value of the estates which he bequeathed to the present Duke." Now it really did appear, at the least, very doubtful whether this could be considered as a libel at all; and supposing it were to be considered as a libel, then it was equally doubtful upon whom it was a libel—whether on the present noble Duke, or on his father. It was surely not criminal or illegal to say of persons of high rank and station, that they had received large sums of the public money. But the noble Duke's affidavit set out, that the provisions, which the defendants stated might be seen in the will at Docters' Commons on payment of a shilling, were not there; and then it set out what was to be found there. The noble Duke stated, that his father had bequeathed an annuity of 600*l.* to each of his younger sons, and directed that two of them should be brought up to the Church, and that when they should obtain preferment in the Church, the annuites should cease *pro tanto*, and should cease altogether on their obtaining preferment in the Church to the full amount of their annuities; that only the sons had been brought up to the Church, and the present Duke had presented him to some livings in his own gift; but that he and his son, the Marquis of Worcester, had entered into a bond to secure the payment of the annuity to his brother, independently of the Church preferments, and that by this all question was prevented as to whether the annuity would have been forfeited by presentation to the livings; that the Lord Chancellor had presented his brother with a Prebendary's stall; and that the annuity had been regularly paid. The noble Duke added, that some of his brothers had been engaged in the civil service of the country, but that neither he nor any of his family had received any part of the public money, except for military pay or salary when on active service, except the pension enjoyed by Lord Fitzroy Somerset on account of his wound received at the battle of Waterloo; and that the whole amount of the public money which had come into the hands of his family did not much exceed one year's income of his paternal estates. The noble Duke stated that the object of these imputations was to bring him and his family into public contempt and odium; and mentioned another paper placard circulated about the county of Gloucester, containing still more unfounded and injurious imputations, which he represented as having been countenanced by the imputations in this paper. As to that placard, it was not even alleged that the defendants had the slightest concern with it; and, indeed, there was every reason to believe that it had been circulated some time before the publication in the *Spectator*, on occasion of the Gloucester election, in which one of the Duke's family was a candidate. Now, with regard to this publication being a libel on the Duke of Beaufort or any of his family—there was no imputation against them, except that they had been in the receipt of large sums of the public money; and surely we had not yet arrived at such a state of purity that it was a libel on a man to say that he had received a part of the public money, whether with or without consideration. It was not likely that such an imputation could be very injurious to a person in the situation of the Duke of Beaufort. If imputations were published against persons in middle life, which, if suffered to remain uncontradicted, would be attended with loss of character, and ruin to them, their Lordships would expect that they should come promptly forward to claim the assistance of the Court for their vindication; but the conduct of persons in the high station of the noble Duke was always before the public; and if any unfounded imputations were cast upon them, they might trust to their known character for their vindication. Their Lordships were aware, that in such cases as the present the Court was placed as a barrier between criminal prosecutions and the public. They were in a position analogous to that of a Grand Jury. Prior to the reign of William the Third, whoever chose it might file a criminal information; but by an act passed in the early part of that reign, a check was interposed, by preventing the filing of such a process without the leave of the Court. Placed in such a position, their Lordships would doubtless consider whether, even if this were a libel, it was yet such a one as would induce a Grand Jury to find a true bill upon an indictment for it; and if they should feel any doubt upon the subject, they would perhaps not think it right that that which would be rejected by a Grand Jury should yet find favour in the eyes of the Judges of the Court of King's Bench. He had very great doubt if this was a libel upon which any Jury would be likely to return a verdict of guilty. And their Lordships might perhaps think, that the noble Duke himself would be better off if this rule were to be discharged, than if he went to issue and the Jury should acquit the defendants. Even supposing that the publication was a libel, still the Court might, in the exercise of its discretion, think it right to pause before they granted the criminal information under thy peculiar circumstances of the case. Their Lordships would, doubtless, consider the inconvenience to the noble Duke should a verdict of "not guilty" follow a protracted litigation; and it would be also for their consideration whether it would be a sound discretion to give a positive opinion upon a publication upon which it was so extremely likely that a different one would be formed by a Jury. The excitement of the public mind also, as referred to by the noble Duke himself, was another reason why their Lordships should not grant a criminal information, where so much doubt existed as in the case now before the Court. The present was not a case in which it might be supposed that the prosecutor could not sit down tamely without utter ruin to his character—cases such as too frequently come before the Court. It was not a case where female virtue was wantonly assailed; nor where a person in the middle ranks of life was so attacked, that to abstain from prosecution would be ruin to his character. This was the case of one of the greatest noblemen in the empire, whose conduct and character were well known, and completely open to the public eye. There was no imputation in this publication on his private character---no charge of vice and immorality in private life---and no language which could render it imperative on the noble Duke to come forward for his own vindication. He was exceedingly unwilling to enter into the particulars of this case, unless he should be compelled to do so; and therefore he mentioned to their Lordships at once, that the Editor of this Paper had expressed his regret that he had fallen into a mistake in point of fact on the subject of the clause in the will of the late Duke of Beaufort. But at the same time, he must say, that, in one view, the clause did support the statement, inasmuch as the annuity of six hundred pounds to the younger children was to abate or cease on their acquiring Government preferment to an equal amount. That was in one view strictly true, for if Government had granted them preferment in the Church, the annuities would have ceased *in toto* or *pro tanto*, as the case might be. The present Duke of Beaufort, however, and the Marquis of Worcester, had highly to their honour, become bound to continue the annuity at all events to that one of the family who had been brought up to the Church; but the defendants knew nothing of this, and no communication of the circumstance had been made to them, otherwise they would promptly have given it publicity. And then, in any view of the matter, they had published no more than what they were not aware that the clause was confined to preferment in the Church; and the Editor added, that he had not originated any of the statements respecting the will or the emoluments derived from the public by the Beaufort family. All these things were the subject of discussion in the Parliamentary debates, in the conversations of political circles, in all classes, without having been contradicted. And then it was clear, from the tenor of the article, that the object of the Editor was not to impugn the conduct of the noble Duke, or of any of his family. The remarks were made merely for the sake of illustration; nothing was said against the noble Duke personally; and the Editor had expressed his regret that he should have fallen into a mistake in point of fact, in adverting to the will. And then again, supposing there had been some imputation on the noble Duke and his family, the noble Duke had not answered so largely as was usually required in cases of applications for criminal informations. The libel stated, that "the amount of public money received by the Somersets, since the late Duke of Beaufort came of age, far exceeded the value of the estates which he bequeathed to the present Duke." In reply to this, the noble Duke deposes that none of his family had received any of the public money in the shape either of sinecure or pension. The paragraph did not impute that they received any thing in the shape of sinecure or pension; and, therefore, his affidavit was not a denial, so far, of the truth of the paragraph. The noble Duke, in enumerating the members of his family who received pay from the Government, stated that he had three brothers in the army; but he made no mention of another brother lately deceased (Lord Charles Somerset), who was Governor at the Cape of Good Hope, and who also held other profitable employments, the emoluments from which yielded him nearly 200,000l. of the public money. It was very true that he might have earned all this by his services; but, according to the paragraph in question, the money alleged to have been received might have

been fairly earned. The noble Duke and his advisers supposed something which had not been stated by the person, and then they answered the supposed and not the actual statement. They denied having received pensions and sinecures, and said that they had received the public money only while in actual service, in a military or civil capacity. But supposing important public situations to be bestowed merely for the sake of Parliamentary influence on persons not properly qualified, that might be worse than pensions and sinecures, because in the latter case the loss was clearly seen and known, whereas in the former case it was not. He said this for the sake of illustration, without meaning to insinuate any want of ability on the part of the noble Duke's family to discharge well the duties of the public situations which they had held. Mr. Rintoul also stated various other sums, which the family had received in a long course of years; but, though the Duke of Beaufort alleged in his affidavit that they were little more than one year's income from his paternal estates, yet they might still be more than the value of the estates left him by the late Duke at the time of his death. It did not appear from the affidavit what were his paternal estates, or what was bequeathed and what inherited. The denial was not one of that direct sort which was required in applications for criminal informations. The noble Duke deposed that he believed the paragraph was written for the purpose of exciting against him the odium and contempt of his fellow-subjects; and, by way of proof, he sets forth a handbill, published at Gloucester, which, he alleged, must have received "countenance and support" from the article in the *Spectator*. Now it so happened that there was every reason to suppose that this handbill was published before the article in the *Spectator;* and at all events it was the first time he had ever known a very gross statement brought forward for the purpose of criminating a very moderate one. The libellious handbill was addressed to the freeholders of Gloucester; and it stated that the family of the Duke of Beaufort were in the receipt of 48,600*l.* per annum of the public money; and that, since the peace alone, they had thus received 720,000*l.* from the public purse. This was, of course, grossly false; but why had not his Grace instituted a prosecution against the printer of that handbill, or else compelled him to give up his authority for the statement, instead of prosecuting, for a comparatively trifling mis-statement, a newspaper conducted with great credit and respectability? The bill in question was most likely printed during the Gloucestershire election, at which one of his Grace's sons was a candidate; and he might fairly observe that nothing was done at that contest which might not be as well answered on the spot as be answered indirectly by means of a criminal information in that Court. In Mr. Rintoul's affidavit, he stated his belief that this handbill was copied from a work called *The People's Book*, which was published in numbers, and that it had no connexion whatever with the *Spectator*. The noble Duke might have gone to the printer of *The People's Book*, instead of instituting a prosecution against the present parties. At all events, if the object of the Duke of Beaufort was to get the statement as to the contents of the will corrected, that object had now been obtained; and he had to express a hope on the part of the editor and proprietors of the *Spectator*, who were most respectable persons, and had hitherto conducted the paper with great caution, that their Lordships would be of opinion, in a case that, in the most unfavourable view of it, only verged on libel, that they could not satisfactorily send the parties before a Jury. Something was said in the paragraph about "the subscription of the great Boroughmongers," and the Editor had explained that part of the statement. He said, in his affidavit, "that he had been informed, and believed, that a very large fund had been subscribed by the owners of boroughs and persons having great borough influence, for the purpose of procuring the return of members of Parliament opposed to the plan of Reform brought forward by his Majesty's Ministers; and that many persons who, or whose families, had received the public money in the shape of salary for places, or in sinecures or pensions, had subscribed to that fund for the same purpose; that he had been informed and believed, that returns recently made to Parliament contained names of brothers and sisters, and mothers and aunts, of persons having Parliamentary influence, as well as, in not a few cases, their illegitimate children, as being in the receipt of pensions ought to be continued." The Editor also deposed, "that it was not meant to impute to the Duke of Beaufort that either he or his family enjoyed sinecures or pensions; that it was not intended to impute to him or any of his family the commission of any illegal act, but to show the operation of Parliamentary influence, in securing the possession of public employments in preference to others who did not enjoy it; that neither the Duke nor any of his family were personally in view when the illustration was used, but, believing the truth of the history of the will, which had been frequently mentioned in public without contradiction, it had been used in this instance because he relied on its being well known; and that, had the slightest suspicion existed in the deponent's mind as to the truth of the alleged fact, it would not have been used." The Attorney-General submitted, under these circumstances, that the case was entitled to the favourable consideration of the Court, coupled as those circumstances were with the regret expressed by the defendant for the error into which he had been inadvertently betrayed. In a country where discussion was free, it was absurd to suppose that such occasional mistakes could be avoided; and if, for every such error, a criminal information was to be instituted, the files of their Lordships' Court would be loaded with affidavits, to the exclusion of all other business. Although their Lordships would never desert their duty where persons were grievously slandered, and came forward in a prompt manner, yet he submitted that this was not a case for their interference; and he could not help thinking, that it was only an experiment, upon the success of which would depend the bringing forward of numerous similar applications by other noblemen, about whom the press may have spoken in a strain not agreable to their feelings. He thought that their Lordships would be disposed to repeat on this occasion what had been said nearly two thousand years ago, that a man in a lofty station of society might safely despise any statements made against him. This was not the case in the humble ranks of life; in such, therefore, their Lordships would encourage such applications, if the libels affecting them were likely to affect their character; but in a case like the present, where, in a time of excitement, a statement was made which was not strictly borne out by the facts, though in some measure supported by them, he felt confident their Lordships would take into their consideration that no slight inconvenience might result to the noble Duke if their Lordships should give a judgment which might subsequently be in opposition to the opinion of a Jury. Under all the circumstances of the case, he trusted that their Lordships would discharge the rule.

Mr. Hill followed the Attorney-General; and commented upon the defective denials of the affidavit of the Duke of Beaufort in support of the application. He contended that the long silence of the noble Duke and his family, while these reports were in circulation, made it an excessively hard case on the part of the *Spectator* that it should be the first to suffer, though it had adverted to the matter in a far less objectionable way than had been by other persons. If the reputation of the family had stood against all these reports for such a series of years, their Lordships would consider whether there was any thing so pressing as to prevent their waiting until the Sessions arrived, when they might present a bill before a Grand Jury. He submitted to their Lordships, that the article in question was no libel; and, if it was a libel, the proper mode of proceeding had not been adopted by the prosecutor.

Sir James Scarlett, in showing cause in support of the rule, began by adverting to the argument used by Mr. Hill, that if a man passed by several attacks, and if, finally, he made up his mind to bring one of the aggressors into Court, it was then to be retorted against him that he had formerly suffered the same attacks to pass unnoticed; so that, according to this doctrine, the oftener the blow was repeated, the greater was the right of the Press to repeat it. His learned friend took it for granted that the statements in the *Black Book* had not been answered, and that upon that account others had a right to repeat the calumny. How was he to know that Mr. Rintoul himself was not connected with that publication, since he appeared to be master of it; at least, he had not sworn he was not It was the excitement which existed throughout the country that constituted the gravamen of the present case; and it was to that which he alluded when he made the application in the first instance to the Court. Their Lordships would remember that he then said that that which, at one time, would be perfectly harmless, would at another be a gross and flagrant libel; and he on that occasion quoted the words of a learned writer, who had instanced the words, "To your tents, O Israel!" in support of the position—words, which might, at one time, be perfectly innocent—and yet, according to the circumstances under which they were uttered, might be grossly libellous and seditious. A man might publish lies of another at a time when the public mind paid no attention to them, and they might, in such a case, be quite harmless; but, when a man seized a time of public excitement to strike the blow, what he then published became a gross libel. He begged to state, in justice to Mr. Rintoul, that he had never intimated that the publication of the handbill at Gloucester was at all connected with the *Spectator*, or could in any way be traced to any of the defendants; he had only adduced that handbill for the purpose of showing the state of the public mind at the time. He would describe that state, not in his own words, for they might not have much weight, but in the words of a public writer—"History tells us that so great a change was never effected in any country without a civil war." Now, if so great a change had never been effected without a civil war, was it not of consequence that particular individuals and families should not be held up to public odium and hatred on the eve of such convulsions? He said that this was the opinion of a public writer; and he would then inform their Lordships that it was from the pen of Mr. Rintoul himself that he quoted the opinion.

One of the defendants desired Sir James Scarlett to read to the end of the paragraph from which he quoted.

Sir James complained of the interruption.

The Attorney-General said he should himself have interposed to prevent mis-statement; and added, "That is not in your affidavit."

Lord Tenterden.—"It need not be in his affidavit, for he is only using it as an argument. He is not urging it against the defendants as part of the libel."

Sir James Scarlett said he only quoted the passage from a recent number of the *Spectator*, in order to show that the Editor, who ought to be the first to endeavour to correct erroneous imputations, and to exert himself to allay every bad passion, was himself, at the very time when he was in expectation of an approaching ferment, the first to excite false illusions in the public mind, and to point out the Duke of Beaufort as a fit object of public indignation. To say any family that they had been plundering the public for years, was precisely what the defendants had said of that of the Duke of Beaufort; and, if a list of persons were to be put forth to the public, in a time of excitement, he would ask if any man would like to take his rank amongst persons so held up? Certainly not; and yet the defendant had, in the present instance, put the Duke of Beaufort in front of the rank. The defendant stated in the libel, that on payment of a shilling, the will might be seen at Doctors' Commons; but it appeared that that was a shilling which he did not choose to spend, or his information would have been more correct. He had, it appeared now spent his shilling, and he discovered that what he stated was not true. This argument told strongly against himself; for as the will could so easily have been seen, he should have spent his shilling before he published the article. Suppose a man was to say to a mob, "Such a person is an eater of tithes;" and suppose the mob, in consequence, were to attack and demolish his house; could it be said that that expression—which, at another time, might be harmless, as merely denoting that he lived on the tithes—was, under such circumstances, no libel? He contended that it was a gross libel; and for the same reason also was this attack on the illustrious house of Beaufort a gross libel. He acquitted Mr. Rintoul of any thing like personal feeling against the Duke of Beaufort or any of his family; but it appeared that he had a political object in view, which he had undoubtedly a right to advocate: and, whether that object was right or wrong, he did not complain of its endeavouring, by every lawful exertion, to attain it; but what he had to complain of was, that he had taken false and improper means to attain that object, by spreading false reports among the people. He stated in his affidavit, that if the Duke of Beaufort had communicated to him the application which he was about to make, in consequence of the mistake, he would have willingly corrected his error; but he showed that he really entertained no regret for what he had done, for in his affidavit he enters, in a most elaborate manner, into a statement of the situations held by the family of Beaufort, and with a minuteness which induced the suspicion that it was done with the view of following up his blow by the publication of his affidavit in his newspaper, in order to sink deeper in public estimation, if possible, an illustrious family, who had served their country with honour, credit, and ability. The affidavit of the defendant stated that the Duke had made no mention of the emoluments of his deceased brother, Lord Charles Somerset; but surely he was included in the words "all my brothers," which words were used in the affidavit of his Grace when stating that all these emoluments were little more in amount than one year's income of his paternal estates. Their Lordships would bear in mind, too, that all that was sworn by Mr. Rintoul, was entirely upon information and belief. The learned counsel read the paragraph complained of; and contended, that, considering the time and season at which it had been published, it was a gross libel. The object of the libeller, he said, was to hold up to public odium the family of the Duke of Beaufort, to whom the country was under great obligations for their public service. Because several members of that illustrious family had held appointments in the army and received that pay for their services which, the meanest individuals would have been entitled to, they were to be treated as the plunderers of the public—as persons who derived their incomes improperly; and that, too, at a time when topics of the kind were most greedily swallowed by the public. The time, it would appear, was now come when the noble deeds of our ancestors were no longer to be thought any thing of—when their services were no longer to be remembered—when the Cecils and the Somersets were no longer to be considered as benefactors to their country—for now it was an odium and a disgrace to have noble blood running in our veins. If their Lordships should think that these remarks were justified by the libel before them- if they should think that this was not the time (indeed no time could be proper to treat men as the Duke of Beaufort was here treated) to state matters calculated to excite men to acts of violence and in subordination—they would, doubtless, think it right to make the rule absolute for the criminal information against the parties.

Mr. Campbell followed on the same side; and said that if Mr. Rintoul had stated his sincere regret, and apologized to the Duke of Beaufort for what he had done, he felt confident that his Grace would not have pressed the matter to an issue against him; but so far from apologizing, the affidavit he had filed, and the speeches of the Attorney-General and Mr. Hill, were in aggravation of the original libel.

Lord Tenterden, after turning round to the other Judges, said, that acting upon those rules which had been adopted by their predecessors and followed by themselves in a variety of cases, he thought the Court could not do otherwise than order the rule to be made absolute. What opinion might be formed by those who would have to consider the case, it was not for their Lordships to anticipate. It was to be assumed that they would form an honest opinion; but it was for the Court to give their opinion upon this occasion, and he (Lord Tenterden) had no difficulty in saying that, connecting the Paragraph with what went before it, the comment appeared to contain matter of strong imputation upon the Duke of Beaufort and his family.—Rule absolute.

SPECTATOR'S LIBRARY.

Haverhill is written by a man of talent, and will repay the trouble of perusal. It is spirited and enthusiastic in its vein, and abounds in curious views of life, picked up, we should think, in a very rambling course of experience. We know not whether Mr. Jones is a British or an American subject: he is chiefly familiar with the New World; all he says of Europe seems the observation of but a transitory visitor. His former work on the Indians of North America, which we read with great pleasure and profit, proved that much of the author's time had been spent in the neighbourhood of Hudson's Bay. The present work takes us over New England, Canada, and the West Indies, with the familiarity of a man who had passed his life among these countries.

The officer of Wolfe's army begins life as a fisherman's son, who plies his dangerous trade on the very tip of Cape Cod. His lowly state neither precludes him from the possession of superior qualities, nor exempts him from ambition and aspiring love. His affection for a young lady in his neighbourhood leads him to the acquirement of education, and ultimately sends him to seek his fortunes far away from his native cabin. Young Haverhill is about setting out on this expedition, when he is one day, with his three brethren, tempted to seek his fish too far out at sea; a storm comes on, and the boys are driven out of their reckoning. We are treated with scenes similar to those which follow the shipwreck in *Don Juan*. Madness and imbecility seize the party: Haverhill, the hero of the novel, is the sole survivor; and he, falling into the track of the British expedition against Canada, is taken aboard, introduced to the principal officers of the expedition, and, after some very absurd dialogues between Wolfe and the admiral of the fleet, on the comparative advantages of the naval and military services, is finally presented with an ensign's commission. In an ambush he is taken by the Indians; escapes from his captivity, and falls into the hands of the French in Quebec, who are on the point of hanging him for a spy. He is however reserved to conduct his General to the heights of Abraham: in finding his way from Quebec, he hits upon the identical Wolfe's Cove which enables the General to lead his army through the very narrow path which leads the conquerors to the plains above. The ensign—now captain and aid-de-camp—is, of course, the witness of Wolfe's death-wound, and, jumping upon a stone, describes the movements of the hostile forces, in the field, for the benefit of the dying hero: and also for that of the Leader. After Wolfe and the army in canada are duly despatched, Haverhill is sent off with the news of the fate of Quebec. Circumstances cause his remaining for some time in Jamaica; where he falls in with a slave rebellion, and runs through a series of the most improbable adventures that were ever put down in *print-buke*. The best part of of the work is undoubtedly the first volume: it contains numerous and interesting scenes of domestic life in New England, which, though dated before the American war, continue, we have no doubt, to this day a close resemblance.

The following extract contains a lively description of some of the rude pleasures of a new country; it reminds us of some of the very clever passages in Cobbett's book on Indian Corn, a work full of rural delights.

"I have mentioned duck-shooting as a favourite sport of the New England people; nearly allied to it is the characteristic 'shooting-match, where large numbers of keen and practised sportsmen assemble—oftentimes from a distance of ten or even fifteen miles, to contest the palm of shooting. Until near mid-winter, the object contended for is a fat turkey or goose,—later, a half crown, or its double, is usually the prize. You shall sometimes see thirty or forty young men assemble: Jucket and Sogg, from Assawomsit, 'Doty, from Scragg Neck;' 'Phipps, from Beaver Dam,' &c. &c.—the Russian Court Guide shall be nothing to it for hard names. The turkeys, geese, or whatever are the objects contended for, belong to him who 'makes the match.'

"Upon a perfectly level field is placed a board, upon which a figure resembling, and about the size of a turkey or goose, is chalked out, and into some part of this figure the shooter must throw a bullet. This, it must be remarked, is for a 'smooth bore' gun; for a rifle, he will be required to hit the neck, or it may be a round O, about the size of a crown, in the centre of the figure. The distance the object is placed from the shooter varies—when a rifle is to be used thirty rods is the usual distance when a smooth bore, from sixty to eighty yards. The shooter is generally allowed to 'rest his piece,' that is, to take aim with the muzzle of his gun resting upon another's shoulder, or upon a cross rail fixed up for the purpose. Each pays so much for permission to shoot once.

"When the report takes place, the noise and hubbub which ensue baffle description—it is confusion worse confounded. Great numbers of boys are always in attendance; and, besides, ragamuffins and blackguards congregate there as surely as Shylock's merchants did on the

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Rialto. If the shooter has deposited his bullet within the ring, or ideal object, he takes his choice of the turkeys, or geese, or whatever else he has been contending for, Another' pays his shot,' and succeeds—to lose, or to win and wear his prize, like his predecessor; and so on till the whole are disposed of, or the insufficiency of the company to 'kill' them is proved. In the mean time, 'whistles having been pretty well, wet'(an American phrase for drinking), 'lots of fun' abound; wrestling-matches take place; and, sometimes, a milling-match or two is got up from the remains of an old and unadjusted quarrel. These sports are by no means honourable to the character of New England, and were always lamented by the wise and prudent, whose influence was, however, not great enough to effect their suppression.

"Another amusement of the lower classes is found in what are called 'huskings.' The occasion is this. When the *maize*, or Indian corn, becomes ripe and fit to be gathered, notice is given that, 'on such or such a night, Mr. Johnson or Mr. Smith will have a husking.' Mr. J. or Mr. S. go to work, and gather in their corn, which is deposited, on a clean piece of sward, unhusked, *i. e.* unstripped of its leaves, in rows of greater or lesser length, nicely rowed up. Upon the stated night, at about seven or eight o'clock, crowds of young men and boys begin to assemble from far and near, coming sometimes fifteen miles to take part in the frolic. They labour in stripping the husks from the ears of corn till the whole is finished, which may be eleven or twelve o'clock at night. As the labour is not of a nature to compel them to be silent, and as rum is circulated profusely, you may be sure that a noisier crowd is seldom seen out of the halls of Momus. Songs, generally profane and indelicate, shouts, Indian war-whoops, sounds in imitation of the barking of dogs and crowing of cocks, interspersed with the rough 'yo heave ho's' of the sea—every thing that can make discord, except 'drums, trumpets, blunderbusses, guns, and thunder'—are to be heard by a listener upon one of those occasions. If there is a poor negro present, he is sure to have the 'devil and all played upon his black carcass.' Poor old Cesar! How have I seen thee pelted with 'rotten eggs,' which came from so many different places at once, that it was utterly impossible to charge the offence upon any particular person, or to say, as Nathan said to David, 'thou art the man.' I can almost fancy, now, when forty years have passed, that I hear the sound, 'Now for the nigger!' 'Hit the white of his eye, Bill!' 'Aim for his teeth, John Grey!' 'Fire high, Bluster!' and the poor creature's complaining outcries—.'Dere! side a head, Massa Lynn! 'Oh, dear, hit de nigger on he's tummuck!' 'B'lieve dey killa me!' &c. &c. But Cesar was always paid, and overpaid, before the company separated. He was feasted till he could feast no longer; his own language was, 'Swear I nebber eat so much afore.' Money, too, was showered in profusion upon him; every one who fancied he had hit him gave him a penny; and, as all were anxious to be thought to excel in this kind of shuttlecock, Cesar usually went home the largest proprietor of copper in the parish.

"When the corn was all husked, dancing drinking, and feasting, the bait which had been held out to collect the company together began, and continued, without intermission, till daylight. I should have mentioned, that many of the rustic beaux brought their girls upon pillions behind them, so there was the admixture and proportion of the sexes requisite to a well-ordered dance, A custom which usually created a little commotion, deserves to be mentioned. Whoever, in husking, found ears of *red* corn, or who could get others to give them to him, was entitled to claim from the girls a kiss for each and every one he held. The penalty was always demanded, and, as ladies are the last to abrogate good old customs, it was always paid—unwillingly they said, but, nevertheless, they paid, it. The 'Nabby, now, shan't I?' and the 'No, I vow you sha'nt, Phil,' ring in my ears even while I am writing.

"There was another festive meeting of the young women of the lower class, which produced a call upon bachelors, and ended in a dance. This was a 'quilting frolic,' the beginning and ending of which was in this wise. We will suppose a case, in which the custom shall be exemplified. Prissy Dexter, a very pretty village belle, very naturally wishes to be married; and knowing that nothing is so attractive to a New England bachelor as the prospect of ample protection from cold weather she resolves that they shall see a specimen of her industry, and a proof of her preparedness for matrimony, in the shape of a quilt of as many colours as the garment in which Jacob arrayed Joseph. She makes one, and sends for all the prettiest young girls of her acquaintance to come and help her quilt it. They come soon after dinner, and make their little fingers fly, like the pickers in a cotton-machine, until it is finished. In the mean time, the young men of the 'set' have been apprized of the intended frolic, and come, bringing with them a fiddler and abundance of cheap liquors and wines. They see, they admire the quilt, and a thousand rough jokes, as to who will be the first to sleep under it, pass and are applauded. Dancing then commences, and continues until half-past nine or ten o'clock, when they separate. This practice is only in use in the country, and among the lower classes.

"But the prime occasion for mirth and merriment is the session of the county, or court of inferior judicature. This in our county was the months of November and May. The holding of the court of justice is deemed a very important matter in America, and draws together greater crowds than any other cause. Large as the countries are, sometimes forty or fifty miles square crowds from every part of it flock to the place where the court is held. It is not alone for the legal and ordinary purposes of judicature that they assemble, it is a kind of burse where bargains of various kinds are entered into, and outstanding accounts of a pecuniary and not unfrequently of a *personal* nature are settled. Here old friendships are renewed, old quarrels amicably or scientifically terminated—but the purposes and achievements are innumerable and indefinite.

"The New England people are not a litigious people, at least they were not forty years since, and seldom, go to law; probably quite as much from a fear of the expense which attends it, as from natural placability and disposition to avoid wrangling and contention. I must do my countrymen the justice to say, that there are fewer lawsuits going on in their civil courts, and fewer returns of 'a true bill' to indictments in those of criminal jurisdiction, than in any country I am acquainted with. Not but that occasionally there is an action for assault and battery, or for a trespass of cattle upon insufficient enclosures. Murders may not happen once in twenty years; highway robberies never; and theft is so unfrequent, that you shall scarce hear of a docket that supplies a couple of cases in half a dozen years—at least I know such was the state of the country forty years ago. What it is now I cannot say, not having been in that part of the country since 1784. I had then never heard of an action for *crim. con.* in New England. Upon the whole, the docket is usually so lean, that were there a law made to send the lawyers out of the country, it could, I am convinced, be cleared in a day, as well as the three usually devoted to a term.

"'Court-time' is a holiday in New England, and is always honoured with a very full attendance of its lieges. It is spent, by those who are not actually engaged in court, in the employments before enumerated, or in wrestling, horseracing, and the usual extravagances of men who meet for no other purpose but fun and merriment. Usually, more criminal offences are enacted during term time than in the three months preceding it, that is, the court makes more mischief than it mends; I believe, a not usual circumstance.

"In the November term of the year 1758 several cases came on for trial, which excited a more than common degree of curiosity, and attracted larger crowds than usual—it was, upon the whole, a 'Black Monday' term. The calendar was reckoned a very interesting one. One case which attracted considerable attention, and created a deal of talk, was this:—A sailor, by name Jack Saunders,—I like to be particular; the doing so stamps an air of credibility upon your narrative, for it passes the capability of human impudence to invent such a thing as a name,—Jack hired a horse to go from our village to Pinfold, across Wapping's Creek. Saunders had been drinking a little too much; while crossing the creek, which had been swollen by recent rains, the horse, which was a very restive one threw him, and he was drowned. The horse was arrested and tried for murder, but was acquitted, from want of testimony that he did the act from malice prepense! It was maintained,—out of doors, however,—I never heard what the Judge's opinion was, that an indictment for homicide could have been sustained. It was pretended by some, that the whole proceeding was a piece of waggery on the part of the gentlemen of the bar, to expose the ignorance of jurors, and their incompetency to the duty of sitting in judgment on the lives and property of their fellow-creatures."—*Spectator, June* 18.

REVIEW OF NEW BOOKS.

Switzerland, the South of France, and the Pyrenees, in 1830. *By Derwent Conway. Vol.* 2. *Constable's Miscellany, No. LXVII.* Edinburgh, 1831.

This is still more entertaining than the former volume, to the merits of which we bore testimony a few weeks ago. Here the traveller descends the Rhone, passes through Avignon, celebrated by having been converted by one of the Popes into the seat of the holy see, and visits Vaucluse. There have been innumerable accounts of the fountain, yet we cannot resist quoting our author's, because it seems to give a characteristic idea of the feelings with which a stranger sees that place for the first time.

"Scrambling among the rocks, I now stood before the celebrated fountain of Vaucluse. At the distance of a few yards, rose above me the huge bald rock I have mentioned, its front inclining a little forward from the perpendicular; and about half way up, springing from two fissures, hung two fig-trees, green and flourishing. In front, the under part of this rock showed a wide arch, the entrance to a cavern; and beneath the arch slept, dark and deep, the fountain of Vaucluse. I made my way down the rock that inclines upwards from the water, that I might look into the cavern. The rocky chamber of the fountain appeared to me, as far as the gloom permitted me to ascertain its size, to be about thirty yards in diameter; and the roof, in most places, from ten to fifteen feet above the surface of the fountain. The water is perfectly tranquil; there is no boiling up, or swelling out as from a spring—this, as well as the apparent blackness of the water, being owing to its great depth. The fountain has often been sounded, but ineffectually—not because it is bottomless, but probably because the force of the spring bursting upwards, added to the inefficiency of the instrument used, has prevented the lead from reaching the bottom. That it is of great depth, is, however, indisputable. I remarked, in descending to the brink of the fountain, a slight violet odour, which I at first imagined arose from the water; but, upon looking more narrowly at the rocks, I found it proceeded from a deep red vegetable substance which grew upon them—I think the *Byssus jolithus* of Linnæus.

The fountain of Vaucluse presents a totally different aspect, at the season when I saw it, and when it is seen after a continuance of heavy rain. In dry weather it is, as I have described it, a smooth, deep fountain, confined to its rocky chamber; and when in this state, it escapes by subterranean passages into the bed of the Sourgue. When the fountain is high, these passages are insufficient: the cavern is no longer visible, for the water reaches the roof, and pours into the bed of the river in the form of a cascade. In this state, however, it must lose that character which to me is its chief attraction—that charm of stillness, placidity, and depth, which hangs over its rocky basin. The cascade may be fine, but I am sure I should have felt disappointment had I seen it thus.

Nothing that I have ever seen has so much exceeded my expectations as Vaucluse. These are rarely equalled by realities, but exceeded scarcely ever; yet such is the fact in this one instance. I was not deceived by the misrepresentations of travellers, for I had never read any account of Vaucluse. I had imagined to myself a cool, clear fountain, with a grassy, or perhaps a rocky margin; but I was not prepared to find it surrounded by such scenery as I had rarely looked upon even in Switzerland. * * *

By the side of the river there is a little garden and a meadow which are called by the inhabitants, the garden of Petrarch. A high rock rises above it, on the southern side; and there is a natural grotto in the rock, about thirty feet long and fifteen wide, which is also called the grotto of Petrarch; and probably both the garden and the rock are justly named; for their features agree with the description given by Petrarch himself of his retreat."

Not a trace of the house of Petrarch remains. The tradition of where it did stand alone survives. The scenes visited in this volume by Mr. Conway (if we must call this agreeable and sensible tourist by such a name) are of higher interest than those described in the former. The chapters on the Pyrenees, on Bourdeaux, and the itinerary of the Loire, are all good and useful. It will be indispensable to make these volumes a part of Englishmen's luggage, when they take the route tracked by the tourist; they will find them explanatory of all matters by the roadside, and full of pleasant and rational information. No man better understands, the art of extracting enjoyment from a dull country then Mr. Conway. He is constitutionally a traveller; but like every man who has travelled much and observed dispassionately, he comes home with a conviction that, although the wines of France may be lighter, the skies of Italy brighter, and the scenery of the Alps more majestic, than can be found at home, yet that to an Englishman there is no country like England. We sincerely believe that half the praises lavished upon other countries is no better than a sacrifice to vanity or fashion. With our author's closing words on this prevalent table vice, we take our leave of him.

"I have travelled some little in my day; and I never yet saw the place over-seas where I could say, here I will live and die. My steps have been arrested by beautiful spots—by savage spots—by great and luxurious cities; a week, a month, I could spend in many—a year in some, and spend it happily; but not life—not all my days. This may be prejudice; I believe it is; but it is the only prejudice I have no wish to part with. I know of no pleasure that will compare with going abroad, excepting one—returning home. I pity English colonists wherever I find them, whether at Tours, or Pau, or Lausanne, or Brussels, or Nice, or Florence. They all talk of the delightful climate, and delicious wines, and cheap living, and excellent society; and yet, I believe, there may be but two or one among them all, whose words came from the heart—but two or one among them all, who, if they dared to appear poor, would not turn their backs upon the climate, and wines, and society of foreign lands, and seek the shores of England. Travelling is a charming recreation; but, after all, England—to an Englishman—is the only country to live in.—*Atlas, June* 12.

MISCELLANEA.

University Privileges.—A case of considerable importance, as touching upon the privileges of the Universities, was mooted on Wednesday, before the Lord Chancellor. In 1682, Dr. Frankland, then master of the free school of Coventry, left 600*l.* to the Master and Fellows of Catharine Hall, from the produce of which a fellowship was directed to be maintained for scholars educated at Coventry free school. In September last, the Reverend H. Inge, A. B. and Curate of the church of St. John the Baptist, Coventry, applied for the fellowship which was then vacant; but although Mr. Inge was the only Coventry scholar, the examiners passed him over, and appointed a Mr. Smith, who was not a Coventry scholar. Mr. Inge petitioned the King, as visiter of the foundation, for relief; and his petition was referred to the Chancellor. Sir Charles Wetherell, for the Master and Fellows, relied entirely on the allegation that Mr. Inge was unwilling or unable satisfactorily to answer the questions put to him; and that, therefore, the Foundation did right in selecting another who as Mr. Inge was the only Coventry scholar applying, was of necessity a scholar of another school. The Lord Chancellor said he would take time to consider the question; and in the mean time, he wished counsel to furnish him with authorities, if there were any, for the position that colleges had a right to elect strangers to their vacant offices, if persons of the class designated by the founder were not in their opinion qualified.

The Life and Correspondence of Sir Thomas Lawrence.—In this work, which we reviewed last week, there are numerous anecdotes relating to the sporting world. Mr. Jackson was Sir Thomas's model for some of his finest pictures. "Sir Thomas was a masterly billiard player, a capital actor in private theatricals, a good shot, and an expert courser. When a boy he had an absolute passion for pugilism. A Member of Parliament, an uncommonly powerful man, and so well proportioned that he stood as the model of Lawrence's Satan, relates, that when they were about twelve years of age, Lawrence used to implore him to go out alone with him on holidays, to a sequestered field, where, stripping themselves to the waist, they had it out in fair blows. My informant adds that he liked the amusement pretty well for a time, having the advantage of Lawrence in size and strength, but that the young artist improved so rapidly in skill, and laid his colors on his future Satan with such potent strokes and touches, as to make him, at last, decline coming up to the brush."

The New London Bridge.—This fine structure is now open to the passengers on the payment of a trifle, which is applied to the relief of the workmen who may sustain accidental injuries. The footways on both sides are paved with large blocks of granite, and the parapets raised to the height of four feet. Looking over this convenient breast-high wall, passengers may enjoy a splendid prospect. The view to the east down the river is more extensive than upon the old bridge. We behold the Custom-house, the Docks, the Tower, and a forest of masts, forming what the Emperor Alexander of Russia called the grandeur of England—a thousand pennants floating on the breeze, whilst the colours of all the trading nations of the world do homage to English Commerce. In the back ground rise the hills of Kent—in short, a more exquisite picture of national greatness cannot meet the gaze of a Briton or foreigner. The approaches to the bridge form a gentle rise upon arches, and lead to a spacious opening. That end of the bridge next the city is not so forward with respect to the works as the Southwark end. The great undertaking which must delay the formation of approaches to the bridge on the city side, is the immense sewer which is to open into the river below the bridge. A vast number of workmen are now employed upon the excavation. The ground has been opened on the east of the site of St. Michael's Church, and the plan is to tunnel the sewer at the depth of thirty-six feet under the houses, as we have been informed, nearly as far as St. Paul's. The sewer will receive the smaller streams of drainage, and carry the whole to one common disbarge. Digging for the sewer the men have cut through a stratum of fine red gravel, twenty feet thick, and below that they have a stratum of clay and sand to the depth of eight or ten feet. The skull, with the horns of a ram, was thrown up on Monday, and handed out for the inspection of the curious. The horns, and the bone which enclosed the brains of the animal, were in perfect form, but pulpous.

The Duchess Ida of Saxe Weimar.—This illustrious lady, who arrived from Rotterdam on Thursday afternoon, on a visit to their Majesties, is the youngest sister of the Queen, and was united to Duke Bernard Charles, of Saxe-Weimar Eisenach, in 1816, at the age of 24. The reigning Duke of Saxe Meiningen is the only brother of her Majesty and the Duchess Dowager, administered the government till December, 1821, when the Duke completed his 21st year. The extent of the territory of Saxe Meiningen is about equal to 680 square English miles, and the population is estimated at 140,000. The principal town, Meiningen, contains nearly 5,000 inhabitants.

Resignation.—The Right Honourable M. Fitzgerald, late member for Kerry, ha, been offered a borough, but declined accepting it. The honourable gentleman, it is believed has made up his mind to spend the remainder of his days in private life—*Limerick Evening Post.*

St. Maritns New Burying-Ground.—This burying-ground underwent the ceremony of consecration on Tuesday. After the ceremony, the Bishop partook of a breakfast in the vestry-room.

Beef-steak Club Extraordinary.—On Saturday last the Lord Chancellor, the Duke of Richmond, Lord Grey, the Marquis of Cleveland, Lord Shaftesbury, Lord Howick, Lord Durham, Lord Sefton, Lord Duncannon, General Alava, Dr. Lushington, Mr. Spring Rice, Mr. William Brougham, and several other gentlemen, inspected Truman, Hanbury, and Buxton's brewery, in Spitalfield, and afterwards dined on beef-steaks dressed at the stoke-hole.

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